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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. CULBERSON).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC
June 17, 2002.

I hereby appoint the Honorable JOHN ABNEY CULBERSON to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

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

The Chair recognizes the gentleman from Indiana (Mr. PENCE) for 5 minutes.

STATUS OF ANTHRAX INVESTIGATION

Mr. PENCE. Mr. Speaker, press accounts beginning in The Washington Post yesterday and on cable television networks over the past 24 hours have been resplendent with discussions about possible covert operations, the authorization of Special Forces by the President of the United States to confront the regime of Saddam Hussein in Iraq. While it might not surprise some Americans that Iraq may in some way have been involved in the events of 9-

11, Mr. Speaker, as I would like to elaborate, as I did so in a letter to the Attorney General last week, there is a growing list of facts that suggest Iraqi involvement not just in the events of 9-11, but perhaps, Mr. Speaker, even in the events and circumstances that led to the anthrax bacillus finding its way to Capitol Hill, costing the lives of five Americans, grinding much of the institutions of our Federal Government to a halt.

As Members may recall, Mr. Speaker, my office was one of three offices on the House of Representatives side of the Capitol building that tested positive for the anthrax bacillus in October. In addition to myself and my family and my staff and many constituent visitors to our office having to take a 3-month regimen of doxycycline and ciprofloxacin, also, as was the case in Senator DASCHLE's office and the Senate Hart Office Building, we were expelled from our offices for decontamination for a period of 4 months. It was, in addition to the loss of human life, an extraordinary disruption of our Federal Government as well as an occasion that truly terrorized the American people.

Since the time of the attacks, virtually within a week, the Federal Bureau of Investigation offered a theory of the case, Mr. Speaker, that could be described loosely as an American mad scientist, a version of the Unibomber, who had simply preyed upon this season of uncertainty following the 9-11 attacks and used anthrax materials that had been absconded from a U.S. weapons facility to further terrorize Americans. It seemed like a very plausible case, to say the least; but there is a growing list of facts that seem to suggest the possibility of an international connection to the anthrax attacks and even possibly, Mr. Speaker, to a connection to Bagdad.

Let me give some of those facts, which are uncontroverted allegations

that have appeared in various arms of the national press. These are 10 different facts that I articulated in a letter to Attorney General John Ashcroft asking, as I did last week, for some explanation as to why the FBI seems to have ruled out an international source for the terrorist attacks.

First and foremost, the letter to Senate Majority Leader TOM DASCHLE was actually dated September 11 and mailed, we believe, around that time, included phrases like "Death to America," "Death to Israel," and "Allah is great."

The evidence also suggests in media reports that one or more of the 9-11 terrorists visited physicians to be treated for skin lesions and infections that would be consistent with cutaneous exposure to anthrax.

Also the material found in my office and elsewhere on Capitol Hill was a finely milled weapons grade anthrax that had been genetically modified to increase its virulence. These are highly technical methods that can be employed by governments with the resources to do them.

This anthrax was also so powerful that not only had five people been killed, including two postal workers and two elderly women, but these deaths we believe occurred just through cross-contamination. This was a virulent strain developed to kill human beings.

Now, DNA evidence, which has been reported in the press, suggests that the anthrax that was found here in the Capitol was part of the Ames strain of anthrax, which we had developed at Fort Detrick, Maryland. But what you may not be aware of, Mr. Speaker, was that the Ames strain was actually sent to England's Porton Down research facility, and in that facility in 1988, according to many intelligence agency reports, Iraqi germ warfare scientists sought to obtain that very same Ames virus, and many believe that they did obtain the Ames virus.

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



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So the anthrax bacillus with the genetic coding of the Ames strain could have been and may well have been obtained by Iraqi germ warfare scientists.

We also know that European government and CIA officials reported meetings between al Qaeda members and Iraqi intelligence officials before September 11, and the 9-11 terrorists also we know from confirmed accounts in the press, attempted to rent crop dusters, presumably as delivery vehicles, for chemical weapons.

Lastly, according to U.N. weapons inspector Richard Spertzel, Iraq has conducted military exercises to explore the possibility of disbursing anthrax using crop dusters.

These are all facts that suggest an international connection, perhaps even an Iraqi connection. This week I will urge the Justice Department and the administration to follow the facts wherever they lead.

PROVIDING ADEQUATE PRESCRIPTION DRUG COVERAGE

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

Mr. BROWN of Ohio. Mr. Speaker, earlier this month Congress made a choice. Republicans in this body passed legislation giving literally hundreds of billions in tax breaks, hundreds of billions of dollars, to the richest one-half of one percent of Americans, to decamillionaires and to billionaires. The choice that Congress made was between a tax cut for the richest, most privileged Americans, and an adequate, legitimate real prescription drug benefit for America's seniors.

This week, unfortunately, America's seniors will begin to pay the price for that choice that Congress made, that choice that Republican leadership pushed through Congress of tax cuts for the wealthiest Americans over a prescription drug benefit for America's seniors.

Now, Republicans will say, as we will find in the Committee on Energy and Commerce this week as we mark up the prescription drug bill, Republicans will say that they in fact have a prescription drug bill that they are offering in committee. What they will not say is that prescription drug bill is very inadequate for seniors' needs.

Their bill serves three purposes. Number one, it is the launching pad for Medicare privatization. If their prescription drug plan becomes law, it will be the beginning of full scale, turn-it-over-to-the-insurance-companies privatization of Medicare, something clearly seniors in this country and the rest of us in this country do not want.

The second purpose that their legislation will serve, their so-called prescription drug bill offered in committee this week, is it will shift Federal resources away from seniors and into tax cuts. We simply cannot give

hundreds of billions of dollars in tax cuts to the most privileged people in society and still afford to do an adequate prescription drug benefit for seniors.

The third purpose that the Republican bill serves that will be offered in committee this week on prescription drugs is it is what the drug industry wants. The drug industry wrote their legislation.

Congressional Republicans couched these three motives in choice rhetoric. They will argue that seniors should not be forced into a one-size-fits-all prescription drug program, that they deserve, quote-unquote, a "choice" of private plans.

Think about that. What kind of choice is actually desirable when it comes to drug coverage? A drug plan either covers the prescription drugs, or it does not cover the prescription drugs. Disbursing seniors into multiple complicated private plans serves the best interests of the drug industry, to be sure, the best interests of the drug industry, something that my friends on the other side of the aisle are always intent on doing; but it would undercut seniors' collective purchasing power, enabling the drug industry to continue charging their outrageously high prices.

The Republican prescription drug plan, unlike the Democratic plan, the Republican plan does nothing about bringing down drug prices. Why? Because the prescription drug industry wrote their plan.

Their approach chips away at the value of traditional Medicare, setting the stage for Medicare privatization. Both the Bush administration and congressional Republicans have argued that adding a real prescription drug benefit to Medicare is too expensive. That is why their proposal would still leave seniors liable for up to \$3,000 of prescription drug expenses. It is hardly a real prescription drug plan if the senior still could be on the hook for \$3,000.

Retirees contributed to Medicare during their working years; and our current prosperity reflects their hard work over the last 2, 3, 4, 5 decades. Adding real prescription drug coverage to Medicare is an unfulfilled responsibility that this institution, that this Congress, the Members of both parties, must fulfill. Seniors have earned, and they richly deserve, comprehensive health coverage, including modernizing Medicare by including a meaningful prescription drug benefit.

The President and the Congress have a choice when it comes to drug coverage for seniors: we can stand up to the drug industry, devote the necessary resources to a drug benefit, bring prices down for prescription drugs and add a real drug benefit to Medicare; or, or we can cut taxes on the richest, most privileged 1 percent of the people in this country and pass a drug bill that only the prescription drug companies and their friends, their Republican friends in Congress, really want. The answer, Mr. Speaker, is pretty obvious.

RECESS

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

Accordingly (at 12 o'clock and 43 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

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

PRAYER

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

We bless You and praise You, Lord God, source of all authority on heaven and earth. This weekend in worship service and at family meals, we gathered to thank You and pray for our fathers. As You guide and protect this Nation through the governance of the President and Congress, so You strengthen and direct family life in this great country through parental authority. Shape the men of this House to be models of leadership, but most of all to reflect Your presence in being good fathers. Surround them with love so that they may manifest understanding and seek every opportunity to strengthen character in their children.

Last Wednesday evening members of this Chamber expressed sorrow over the fact that the United States is the world leader in fatherless families. They prayed for responsible fatherhood in themselves and throughout this Nation, encouraging greater involvement of fathers in the lives of their children.

Lord, through deeper love and faithfulness in family relationships, renew lasting values in this society. Deepen belief in Your power, in commitments made, and relationships given us. Provide and protect children always. Free them from fear and all forms of abuse and manipulation now and forever. Amen.

THE JOURNAL

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

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

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

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

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. HANSEN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1209. An act to amend the Immigration and Nationality Act to determine whether an alien is a child, for purposes of classification as an immediate relative, based on the age of the alien on the date the classification petition with respect to the alien is filed, and for other purposes.

H.R. 3275. An act to implement the International Convention for the Suppression of Terrorist Bombings to strengthen criminal laws relating to attacks on places of public use, to implement the International Convention of the Suppression of the Financing of Terrorism, to combat terrorism and defend the Nation against terrorist acts, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 672. An act to amend the Immigration and Nationality Act to provide for the continued classification of certain aliens as children for purposes of that Act in cases where the aliens "age-out" while awaiting immigration processing, and for other purposes.

S. 1770. An act to implement the International Convention for the Suppression of Terrorist Bombings to strengthen criminal laws relating to attacks on places of public use, to implement the International Convention of the Suppression of the Financing of Terrorism, to combat terrorism and defend the Nation against terrorist acts, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

MARTIN'S COVE LAND TRANSFER ACT

Mr. HANSEN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4103) to direct the Secretary of the Interior to transfer certain public lands in Natrona County, Wyoming, to the Corporation of the Presiding Bishop, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4103

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 "Martin's Cove Land Transfer Act".

SEC. 2. CONVEYANCE TO THE CORPORATION OF THE PRESIDING BISHOP.

(a) *CONVEYANCE REQUIRED.*—Notwithstanding the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the Secretary of the Interior (hereafter in this section referred to as the "Secretary") shall offer to convey to the Corporation of the Presiding Bishop, all right, title, and interest of the United States in and to the public lands identified for disposition on the map entitled "Martin's Cove Land Transfer Act" numbered MC/0002, and dated May 17, 2002, for the purpose of public education, historic preservation, and the enhanced recreational enjoyment of the public. Such map shall be on file and available for public inspection in the offices of the Director of the Bureau of Land Management and the Lander District of the Bureau of Land Management.

(b) CONSIDERATION.—

(1) *IN GENERAL.*—The Corporation of the Presiding Bishop shall pay to the United States an amount equal to the historic fair market value of the property conveyed under this section, including any improvements to that property.

(2) *DETERMINATION OF FAIR MARKET VALUE.*—Not later than 90 days after the date of the enactment of this Act, the Secretary shall determine the historic fair market value of the property conveyed under this section, including any improvements to the property.

(c) *ACCESS AGREEMENT.*—Not later than 180 days after the date of the enactment of this Act, the Secretary and the Corporation of the Presiding Bishop shall enter into an agreement, binding on any successor or assignee, that ensures that the property conveyed shall, consistent with the historic purposes of the site—

(1) *be available in perpetuity for public education and historic preservation; and*

(2) *provide to the public, in perpetuity and without charge, access to the property conveyed.*

(d) *RIGHT OF FIRST REFUSAL.*—As a condition of any conveyance under this section, the Secretary shall require that the Church of Jesus Christ of Latter Day Saints and its current or future affiliated corporations grant the United States a right of first refusal to acquire all right, title, and interest in and to the property conveyed under this section, at historic fair market value, if the Church of Jesus Christ of Latter Day Saints or any of its current or future affiliated corporations seeks to dispose of any right, title, or interest in or to the property.

(e) *DISPOSITION OF PROCEEDS.*—Proceeds of this conveyance shall be used exclusively by the National Historic Trails Interpretive Center Foundation, Inc., a nonprofit corporation located in Casper, Wyoming, for the sole purpose of advancing the public understanding and enjoyment of the National Historic Trails System in accordance with subsection (f).

(f) *USE OF PROCEEDS.*—Funds shall be used by the Foundation only for the following purposes and according to the following priority:

(1) *To complete the construction of the exhibits connected with the opening of the National*

Historic Trails Center scheduled for August 2002.

(2) *To maintain, acquire, and further enhance the exhibits, artistic representations, historic artifacts, and grounds of the Center.*

(g) *NO PRECEDENT SET.*—This Act does not set a precedent for the resolution of land sales between or among private entities and the United States.

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

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

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

Madam Speaker, H.R. 4103, which I introduced, would direct the Secretary of the Interior to offer to sell 940 acres of BLM land in Natrona County, Wyoming, to the LDS Church for the purpose of historic preservation, public education, and the enjoyment of the public. Funds from the sale would be directed for the sole purpose of public understanding and enjoyment of the national historic trail system at the National Historic Trails Interpretive Center in Casper, Wyoming.

These 940 acres, known as Martin's Cove, were the site of a truly remarkable and inspiring story of Mormon pioneers. In 1847, a mass migration of Mormon pioneers began to move west to Utah due to some of the most intense religious persecution in our Nation's history. This migration continued into the next decade, when, in 1856, a group of Mormon handcart pioneers, known as the Martin Handcart Company, departed Iowa late in the year and found themselves along the trail stranded with almost no food in freezing temperatures and deep snow. As they fought against intense weather conditions, between 135 and 150 of their party would perish, many of them at the site known today as Martin's Cove.

When Church President Brigham Young was notified by other pioneers just arriving in the Salt Lake Valley that there was still a company out in the trail, he immediately organized a team to go out and rescue them. While many still perished, many were rescued, and their families remember them and honor them to this day.

Unfortunately, despite the significance of what took place in Martin's Cove, the site has remained in relative obscurity as the Federal Government has simply not had the resources to serve the public or to care for the site. Prior to the involvement of the LDS Church, also known as the Mormon Church, the BLM was unable to do anything at the site. They did not have the resources to construct trails, to protect the resource, to provide interpretation, or even simply to provide a sign by the side of the road informing the public of what took place at Martin's Cove.

In fact, because the access to the site was controlled by the privately held Sun Ranch, when access was available,

visitors were often charged as much as \$30 a head to visit the site. However, in 1996, the LDS Church stepped forward and purchased the Sun Ranch and opened it up to the public free of charge. They then proceeded to spend 31,000 volunteer man-hours to develop the site for the enjoyment of the public. They built trails, they established a visitor center, and they provided dozens of full-time volunteers at the site for interpretation. They built restrooms and campgrounds. In short, they provided and proved their commitment to the site and to serving the public.

As everybody in this body knows, it has become increasingly difficult to find adequate funding to care for the hundreds of millions of acres of lands held by the Federal Government. I do not know why it would be in the Federal Government's best interest to retain the financial stewardship responsibility for Martin's Cove when the LDS Church is not only willing to tell their story on their own dime but to provide an ironclad guarantee in this legislation of free public access to the site. Instead, we should make the wise choice to be good stewards of the land by devoting the limited financial resources of the Federal Government to priorities that are of very broad national significance, such as our national park system. This is a wise policy choice and the public will be better served as a result. Moreover, the funds from the sale will be directed where they are greatly needed, in the National Historic Trails Interpretive Center in Casper, Wyoming.

I believe that Congress must increasingly recognize that if we are ever going to find the Federal resources necessary to adequately care for the national treasures of our parks and public lands, then we must increasingly look to non-Federal entities to serve the public in areas of a more limited interest and significance, such as this cove. This is a concept that Congress has recognized before, such as with the National Historic Lighthouse Preservation Act and the Recreation and Public Purpose Act. They both allow non-Federal entities to purchase or simply take title to historic sites of lesser significance if the public interest can be better served in that manner.

As a result of this policy, there are more tangible recreational and environmental benefits enjoyed today by the American people that the Federal Government simply would not have been able to provide on its own. I believe it is a concept that Congress must increasingly consider if we are going to meet the important stewardship responsibilities that the American people expect from us.

I appreciate the support we are receiving from many Members on both sides of the aisle, including the ranking member of the Committee on Resources, the gentleman from West Virginia (Mr. RAHALL). I also appreciate the support of the administration, and I urge my colleagues to support this legislation.

Madam Speaker, I reserve the balance of my time.

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

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

Mr. KILDEE. Madam Speaker, H.R. 4103, introduced by the chairman of the Committee on Resources, the gentleman from Utah (Mr. HANSEN), would direct the Secretary of the Interior to transfer public land in Natrona County, Wyoming, to the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints.

It was on a part of this land, a site known as Martin's Cove, that a group of Mormon immigrants in 1856 took shelter from an early winter storm. Many died there in what is considered the single greatest loss of life as part of the western migration. Martin's Cove was listed on the National Register of Historic Places in 1977. It is located in close proximity to four national historic trails.

The sale of this land, as proposed by H.R. 4103, has generated considerable public interest and concern. The Subcommittee on National Parks, Recreation and Public Lands held hearings here in Washington, DC, and in Casper, Wyoming, to ensure public input on this matter. As a result of those hearings and other input that the Committee on Resources received, a number of changes were made to the bill to address legitimate concerns with the legislation.

The changes made by the amendment adopted by the Committee on Resources involved altering the size of the parcel to be transferred, providing for an agreement that requires perpetual public access and historic preservation. The amendment also directs use of the proceeds of the sale. The form of these changes, Madam Speaker, go a long way in addressing the concerns that have been raised by some individuals and organizations.

Madam Speaker, H.R. 4103 has the strong support of the ranking member of the Committee on Resources, the gentleman from West Virginia (Mr. RAHALL). I know the gentleman from West Virginia (Mr. RAHALL) joins me in looking forward to working with the chairman, the gentleman from Utah (Mr. HANSEN), on sacred-sites legislation to also protect the cultural and spiritual aspects of lands important to Native Americans.

Madam Speaker, I support this legislation; and I appreciate the efforts of the chairman and his staff on this bill.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, it is interesting that some have stated that H.R. 4103 would establish precedent by selling religiously significant land and that Native Americans will want to do the same thing. Opponents who have raised

this really have not looked into it very hard, because claims that this will lead to Native Americans wanting to purchase lands that are of national significance are unfounded, and we feel this is a poor comparison.

It is interesting to know that Martin's Cove is not of national significance. Ninety-seven percent of those who visit are those who are LDS themselves or who had families there and want to see it.

The lands that have been conveyed to Native Americans in the past are also lands that are not of national significance. The pattern is consistent with what we are doing at Martin's Cove.

I do not think some people realize that religiously significant lands have already been obtained by American Indian tribes through Federal legislation. For example, Public Law 98-408, Public Law 104-303, Public Law 98-620, and Public Law 91-550 were all conveyed to American Indian tribes.

So I do not think this issue that has been brought up by some has much significance to it. I feel this legislation we are working on is very significant. Prior to the time of this going through, a lot of people wanted to preserve this history. In America we have done so much on trails, we have done trails all over America, we have done them through the home State of the Speaker pro tempore and others, where people and religious organizations have taken very good care of them.

□ 1415

Madam Speaker, this would open up something that would be beneficial to the people of that faith, and should also be very beneficial to the economy of the area. I can speak with personal knowledge of the excellent job that the LDS Church does as they preserve historic places. All through the West, from New York, Ohio, Missouri, Illinois, Iowa, all of those areas now have a significant stamp of approval as they have seen the good work that these Mormon folks have done. I think it is part and parcel of the history of this great country. I feel this is a good piece of legislation. I appreciate comments of the gentleman from Michigan (Mr. KILDEE), and I would urge support for this bill.

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

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

Madam Speaker, I commend the gentleman from Utah (Mr. HANSEN) for his continued and strong support of the preservation of Native American historic sites.

Mrs. CUBIN. Madam Speaker, I rise today in opposition to H.R. 4103, the Martin's Cove Land Transfer Act.

Although Chairman HANSEN and I stand on opposite sides of this issue, he was very generous to grant my request for a field hearing in Wyoming regarding the Martin's Cove Land Transfer Act. To say there has been a great deal of interest in this legislation in my home State, both of support and opposition, is an

understatement. Martin's Cove represents a part of Wyoming's heritage, and a very tragic chapter in the history of the Church of Jesus Christ of Latter-day Saints.

As anyone who has been involved in this issue is well aware, Martin's Cove is an issue where emotions run unusually high. This bill has posed a very difficult decision for myself in representing the people of Wyoming. I have always believed in the concept of trading, swapping, or selling Federal lands in my State, but only if the result makes good sense for the people of Wyoming.

After a great deal of deliberation and fact finding, at the end of the day it is my duty to represent the preponderance of opinions in the state. I believe that the majority of my constituents do not support this legislation over concerns of access and policy, and therefore I cannot support this bill.

My vote against passage of Chairman HANSEN's bill at the Resources Committee markup was not a vote about the LDS Church, which I greatly admire. Rather, it was a vote to maintain the status quo in the management and maintenance at Martin's Cove for future generations to visit. Management which has proven very successful and fruitful for the site and to visitors of the site.

During committee consideration of the bill I felt it necessary to amend the legislation with regards to several points, recognizing the bill may become law. I was successful in amending the bill to secure free and open access to the area for the public and require that the proceeds of the sale are kept within the State of Wyoming to benefit and educate the public on our historic trails in the form of the National Historic Trails Center in Casper, Wyoming. Even with these improvements to the bill, I must continue to oppose its passage because the majority of my constituents oppose the bill. Many believe the bill sets a bad precedent, and continue to question why the legislation is necessary.

Madam Speaker, I'm a fervent advocate of the old adage: "If it isn't broken, why fix it?" H.R. 4103 is a solution without a problem.

Mr. FALEOMAVAEGA. Madam Speaker, I rise in support of H.R. 4103, a bill which would direct the Secretary of the Interior to transfer certain lands in Natrona County, Wyoming to the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints.

At the request of Congresswoman BARBARA CUBIN, our Subcommittee on National Parks and Public Lands held a field hearing in Casper, Wyoming on May 4, 2002 to ensure that the residents of Wyoming were given an opportunity to be heard on this matter. I attended this field hearing and I believe it is fair to say that the majority of those in attendance voiced their support for this initiative.

Although the media has tried to project otherwise, I believe the record should also reflect that this is not a Utah initiative. The people of Wyoming, mostly members of the Church of Jesus Christ of Latter-day Saints, initiated this effort out of respect for the unique events which figure prominently and singularly in the faith of the LDS Church. It is my understanding that more than 6,000 residents of Wyoming have signed a petition supporting this bill and members of the Wyoming State Legislature have also expressed their support.

During the May 4 field hearing, Kit Kimball of the U.S. Department of the Interior testified that the Department supports the goals of

H.R. 4103. The Interior Department also made some constructive suggestions on how to improve the provisions of the bill and these matters have been seriously considered.

Madam Speaker, I am an original cosponsor of H.R. 4103 and I also want the record to reflect that I am a member of the Church of Jesus Christ of Latter-day Saints. As you may be aware, the leaders of the LDS Church have expressed an interest to purchase Federal land known as Martin's Cove because of a tragedy that took place some 146 years ago. My understanding is that two handcart companies—the Willie and Martin companies—were composed of almost a thousand members of the LDS Church who immigrated from England and Holland. These people were not familiar with the harsh winters of the Midwest and were attempting to reach Salt Lake City, Utah by means of pulling specially made handcarts across the plains because most were poor and could not afford to purchase covered wagons and teams of oxen.

In October of 1856, these immigrants were caught in an early winter storm without sufficient food and clothing. Despite heroic efforts by LDS Church members and leaders who sent teams from Salt Lake City to locate and assist the two companies, over 200 men, women and children died as a result of freezing temperatures and starvation. Many of those who perished near Martin's Cove were wrapped in blankets, placed in piles, and covered in snow because the ground was so frozen graves could not be dug.

History now marks this event as one of the most tragic of 19th century westward expansion. From the perspective of any thoughtful person, Martin's Cove is sacred ground, or a burial place of historical and religious significance. Despite its recognized historical significance, the Federal Government has done little to facilitate public access to the site. It is my understanding that no access, highway notification, or facilities were available to the public until the LDS Church, in cooperation with the Sun family, purchased fee simple lands adjoining Martin's Cove in 1996. Since 1996, the investment, construction and operation of facilities necessary and essential to accommodate the public on fee simple lands near Martin's Cove has been provided by the LDS Church with trail development at the Cove provided by the BLM with the assistance of volunteers from the Church.

It is unfortunate that some in the media have purposely chosen to malign the LDS Church because of its efforts to acquire Martin's Cove. I take issue with those who consistently refer to Martin's Cove as a National Historic Site. I believe those who continue to use this terminology are either misinformed or intentionally desire to mislead the public by suggesting that this bill would circumvent national policy or set historical precedent if the LDS Church acquired this land. The fact of the matter is there are only 118 National Historic Sites in the United States of America and Martin's Cove is not one of them. Martin's Cove is listed on the National Register of Historic Places. In contrast to National Historic Sites, there are more than 74,000 places listed on the National Register of Historic Places. Time and time again the Federal Government has conveyed lands listed on the National Register of Historic Places to private entities. The LDS Church is simply asking for fair and equitable consideration.

A question has also been raised about setting a precedent for American Indians to purchase Federal lands for religious purposes. The fact is Congress already has passed several pieces of legislation which transferred Federal lands to certain Native American tribes because of the significant and religious significance of those lands to the tribes. Congress has also previously authorized the sale of public land to the Wesleyan church in 1985. A similar sale of Federal land to the Catholic church was authorized in 1988. I might also add that Federal dollars were used to establish the Holocaust Museum in Washington, DC, and rightfully so. This museum is a beautiful memorial to a people who have suffered cruelties beyond all comparison.

I submit, Madam Speaker, it is not unprecedented for the LDS Church to seek to honor and give special recognition to those of its membership who suffered and died at Martin's Cove. Martin's Cove holds special meaning to the LDS Church and its members because of those who lost their lives as they sought to escape religious persecution, bigotry and intolerance.

Despite good-faith efforts by both the BLM and the LDS Church to reach agreement on this matter through the transfer or exchange of lands, these options have apparently not been possible under the circumstances. We are now deliberating a third possible option, and that is a fee simple purchase of this land. I believe it is only appropriate that Congress support the sale of this land to the LDS Church and I urge my colleagues to support this bill.

Mr. LANTOS. Madam Speaker, I rise today to express my strong support for H.R. 4103, the Martin's Cove Land Transfer Act. This legislation was introduced in this House by our distinguished colleague from Utah, Mr. HANSEN, the Chair of the Committee on Resources. I also want to acknowledge the important role of our colleague from West Virginia, Mr. RAHALL, the Ranking Democratic Member of the Committee. I also thank my colleague, Mr. KILDEE of Michigan, who is managing time for the minority today. As my colleagues have noted, Madam Speaker, the legislation provides for the Church of Jesus Christ of Latter-day Saints to acquire Federal lands in the state of Wyoming known as Martin's Cove.

Generally, Madam Speaker, I have strongly supported the acquisition of lands by the Federal Government in order to provide protection for important natural areas. During the time I have served in this body, I have introduced and supported a number of bills which have provided for the addition of new lands to the Golden Gate National Recreation Area in California and the acquisition of other lands for preservation and protection by the Federal Government. In fact, I currently have before the Committee on Resources H.R. 1953, legislation to revise the boundaries of Golden Gate National Recreation Area in the San Francisco Bay Area.

It may appear to be unusual that I am supporting H.R. 4103, which provides for the sale of Federal lands. The land at Martin's Cove, however, is unique. Clearly the transfer of this parcel of land from the Federal Government to the Mormon Church makes good sense for all concerned.

Madam Speaker, this site is a particularly important historical site for Latter-day Saints. At or near Martin's Cove in 1856, some 150

emigrants of the Willies and Martin handcart companies lost their lives in an early fall snowstorm. Those who perished were buried where they died, and many were placed in common graves because of the tremendously difficult and trying conditions.

Many members of these two handcart companies began their trek to Salt Lake City in Europe, and others joined them in the eastern United States. They sought a new life in the American West and the freedom to practice their religion. This loss of life was one of the most tragic events in the entire westward migration on the California, Oregon and Mormon trails and mid-nineteenth century America.

It is obvious that this site holds a special significance for the many descendants of those who survived this ordeal, many of whom are Latter-day Saints. But it is also a holy place as well for other members of the church who give special honors to their pioneer heritage.

Madam Speaker, the church's interest in acquiring this site is consistent with the Federal Government's interest in public access and preservation of this important site. The church has an interest in preserving this place as an authentic historic site. It has an interest in maintaining relics and evidences of the Mormon, Oregon, California, and Pony Express trails that pass through the area. The church also has an interest in making the area accessible to visitors in a way that will preserve the historic significance of the place. Furthermore, I believe that the church's commitment to this site is likely to be much greater than that of the Federal Government, and as a result the area will be better preserved and better cared for under Latter-day Saint stewardship than under Federal control.

Finally, Madam Speaker, I do not see this legislation for the transfer of this particular piece of land to be establishing any precedent for the sale or transfer of other Federal lands. Clearly this is a unique situation. The Church of Jesus Christ of Latter-day Saints has an interest that is very similar to the Federal interest to preserve, protect and provide public access to the site. This land transfer makes eminent sense, but it clearly does not change any Federal policies or practices regarding the protection and preservation of public lands.

Madam Speaker, I commend my colleague from Utah, Mr. HANSEN, for introducing this legislation, and I urge my colleagues to join me in supporting it.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4103, as amended.

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

A motion to reconsider was laid on the table.

SHOSHONE NATIONAL RECREATION TRAIL MANAGEMENT ACT

Mr. HANSEN. Madam Speaker, I move to suspend the rules and pass the

bill (H.R. 3936) to designate and provide for the management of the Shoshone National Recreation Trail, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3936

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

SECTION 1. SHOSHONE NATIONAL TRAIL.

(a) DEFINITIONS.—For the purposes of this section, the following definitions shall apply:

(1) APPROPRIATE SECRETARY.—The term “appropriate Secretary” means—

(A) the Secretary of Agriculture when referring to land under the jurisdiction of that Secretary; and

(B) the Secretary of the Interior when referring to any land except that under the jurisdiction of the Secretary of Agriculture.

(2) MAP.—The term “Map” means the map entitled “James V. Hansen Shoshone National Trail” and dated April 5, 2002.

(3) TRAIL.—The term “Trail” means the system of trails designated in subsection (b) as the James V. Hansen Shoshone National Trail.

(b) DESIGNATION.—The trails that are open to motorized use pursuant to applicable Federal and State law and are depicted on the Map as the Shoshone National Trail are hereby designated as the “James V. Hansen Shoshone National Trail”.

(c) MANAGEMENT.—

(1) IN GENERAL.—Except as otherwise provided in this Act, the appropriate Secretary shall manage the Trail consistent with the requirements of a national recreation trail in accordance with—

(A) the National Trails System Act (16 U.S.C. 1241 et seq.); and

(B) other applicable laws and regulations for trails on Federal lands.

(2) COOPERATION; AGREEMENTS.—The Secretary of the Interior and the Secretary of Agriculture shall cooperate with the State of Utah Department of Natural Resources and appropriate county governments in managing the Trail. The appropriate Secretary shall make every reasonable effort to enter into cooperative agreements with the State of Utah Department of Natural Resources and appropriate county governments (separately, collectively, or in any combination, as agreed by the parties) for management of the Trail.

(3) PRIMARY PURPOSE.—The primary purpose of this Act is to provide recreational trail opportunities for motorized vehicle use on the Trail. The Trail shall be managed in a manner that is consistent with this purpose, ensures user safety, and minimizes user conflicts.

(4) ADDITION OF TRAILS.—

(A) IN GENERAL.—The appropriate Secretary may add trails to the Trail in accordance with the National Trails System Act and this Act. The Secretary shall consider the Trail a national recreation trail for the purpose of making such additions.

(B) REQUIREMENT FOR ADDITION OF TRAILS ON NON-FEDERAL LAND.—If a trail to be added to the Trail is located on non-Federal land, the appropriate Secretary may add the trail only if the owner of the land upon which the trail is located has—

(i) consented to the addition of the trail to the Trail; and

(ii) entered into an agreement with the appropriate Secretary for management of the additional trail in a manner that is consistent with this Act.

(5) NOTICE OF OPEN ROUTES.—The Secretary of the Interior and the Secretary of Agriculture shall ensure that the public is adequately informed regarding the routes open

for the Trail, including by appropriate signage along the Trail.

(d) NO EFFECT ON NON-FEDERAL LAND AND INTERESTS IN LAND.—Nothing in this section shall be construed to affect ownership, management, or other rights related to any non-Federal land or interests in land, except as provided in an agreement related to that land entered into by the landowner under subsection (c)(4)(B)(ii).

(e) ACQUISITION OF LAND AND INTERESTS IN LAND.—The appropriate Secretary may acquire land and interests in land for the purposes of the Trail only from willing owners.

(f) MAP ON FILE; UPDATED.—The Map shall be—

(1) kept on file at the appropriate offices of the Secretary of the Interior and the Secretary of Agriculture; and

(2) updated by the appropriate Secretary whenever trails are added to the Trail.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this Act.

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

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

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

Madam Speaker, H.R. 3936, which I introduced, would designate and provide for the management of approximately 337 miles of existing trails, already open to OHV use in northern Utah on the Wasatch-Cache National Forest and adjacent BLM lands.

It would also allow that, consistent with the National Trails System Act, additional segments might be added administratively on Federal land at a later point, and that trails on non-Federal lands might be added once local communities have identified the most appropriate access points and local trails. Once these additional segments are added, it is expected that there will be approximately 500 miles of trails in the system. In addition, the bill I bring to the floor today also contains an amendment to insert the proper map title and to clarify how the agencies may add additional segments under the National Trails System Act.

In recent years Utah has seen a dramatic increase in the number of registered off-highway vehicles. This growth has presented Federal and State land managers with the difficult challenge of finding and identifying appropriate places to ride for this growing group of recreationalists. Experience has shown when an organized system of trails has been identified, it becomes easier to direct these recreational activities to appropriate places and to protect the areas where OHV riding would not be appropriate.

This bill is a proactive attempt to handle this growing recreational activity. In fact, as meetings were held with local community leaders, it was interesting to note that the concept was supported not only by locally elected officials, but also by some local conservationists who, while not generally

supportive of OHV recreation, expressed their support because of its ability to channel these recreational activities to appropriate places.

For years the more extreme environmental voices have claimed that they are not opposed to OHV use if it is on designated trails. However, I believe their true agenda is on display by the fact that while this bill does everything they claim to want, including designating only those trails that are already open to OHV use and directing that funding be used for informing the public of open routes through mails and trail signage, some of the more extreme environmental voices in the State of Utah remain opposed. While they continue to claim that these are the solutions that they really favor, they have never stepped forward with any realistic leadership to wisely and responsibly provide for how to help mitigate the increasing demand for OHV opportunities.

While extreme voices have shown they have no solutions to match their complaints, I am proud of this bill and proud of the fact that while some have offered mere rhetoric as their contribution to our public lands, we are providing real leadership and proactive solutions.

I would like to state, Madam Speaker, that a lot of people are of the opinion that I wrote this on the back of an envelope while I was traveling on an airplane. That is far from the truth. This bill was brought about by a group of folks in the State of Utah. The director of the Public Lands Area of Parks, Courtland Nelson, his deputy, the national resource people, Federal people, State people, OHV riders, they got together and determined how this would work.

In southern Utah there is a trail called the Paiute Trail, and there are 2,500 miles of marked areas where people can ride OHVs and have a good experience doing it. In fact, a couple of weeks ago, because I wanted to see how it is done, I spent 2 days on that trail; a very interesting experience. I would urge others to do it. It is well taken care of. The public takes good care of it. People have adopted the trail. There is a lady close to 80 years old that gets on their Polaris ATV and rides along with one of those sticks to pick up papers and cans, and then she has a basket in the front of her ATV, and she puts debris in there. Then she brings it down. If anyone makes a mess on her trail, Barbara runs out and lectures them, and they never do it again.

It is kind of encouraging to see people take this upon themselves, and I would expect the same thing to happen with this trail. I am amazed how many of these OHVs there are in America. There are literally thousands. People pay from \$4,000 to \$8,000 for these, and they want a place to ride. It behooves our committee to help provide a place for Americans to enjoy these vehicles. They are used on farms. A rancher told me the other day that they do not use quarter horses and pickup trucks anymore, we use OHVs. They are a lot of

fun to ride, and they open up areas for America.

Of course, we do not want to spoil the pristine areas of America, we do not want them in wilderness areas, but we do have to create a place for them to ride. If my home State of Utah did anything right, it did the Paiute Trail. That is what brought all of these people together to do the Shoshone Trail, which we are talking about today, which is in northern Utah.

Madam Speaker, as much as I would like to take credit for being the one who wrote this, I did not. Contrary to what has been in all of our local papers that I wrote it on the back of an envelope when I was bored riding an airplane, that is not the truth. It was done by people with much more knowledge and understanding about public lands than I have, and I compliment them.

Madam Speaker, I reserve the balance of my time.

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

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

Mr. KILDEE. Madam Speaker, H.R. 3936, which was introduced by the gentleman from Utah (Mr. HANSEN), would designate a series of off-road vehicle trails on Federal, State and private land in north central Utah as a national trail.

The Committee on Resources held a hearing on H.R. 3936 in April. While it was obvious from the hearing there was a measure of support for a trail designation in this area, there were also a number of issues and concerns that had been raised with the legislation regarding use and access.

Madam Speaker, I want to compliment the gentleman from Utah (Mr. HANSEN) and his staff for their willingness to work with the minority to address the concerns and issues raised with the bill. The amendment in the nature of a substitute that the Committee on Resources adopted contains language worked out with the minority. The amendment slightly alters the name of the trail, designates only routes that are currently open and eligible for ORV use, minimizes user conflicts, and eliminates conflicts with other trail laws and policies.

I would note the change in the name of the trail to the James V. Hansen Shoshone National Trail. I am very pleased with the change in the name. The gentleman from Utah (Mr. HANSEN) is one of the finest Members of this body. The gentleman is a Member of great civility, a Member of great integrity, a gentleman whom I am proud to number among my personal friends. If we had more James Hansens in this House, we could get more done rather than sitting around shouting at each other. I am very pleased, as I say, to have him among my personal friends.

The name change was the result of an amendment offered by the ranking member, the gentleman from West Virginia (Mr. RAHALL), who wanted to recognize the chairman for the work he

has done on this and many other pieces of legislation.

Madam Speaker, I believe that with the changes made by the Committee on Resources, we have a bill that everyone can support. I am pleased that the House will proceed to pass this legislation today.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I appreciate the very kind words from the gentleman from Michigan (Mr. KILDEE).

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 3936, as amended.

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

The title of the bill was amended so as to read: "A bill to designate and provide for the management of the James V. Hansen Shoshone National Trail, and for other purposes."

A motion to reconsider was laid on the table.

PU'UHONUA O HONAUNAU NATIONAL HISTORICAL PARK ADDITION ACT OF 2002

Mr. HANSEN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1906) to amend the Act that established the Pu'uhonua O Honaunau National Historical Park to expand the boundaries of that park, as amended.

The Clerk read as follows:

H.R. 1906

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 "Pu'uhonua o Hōnaunau National Historical Park Addition Act of 2002".

SEC. 2. ADDITIONS TO PU'UHONUA O HONAUNAU NATIONAL HISTORICAL PARK.

The first section of the Act of July 26, 1955 (69 Stat. 376, ch. 385; 16 U.S.C. 397), is amended—

(1) by striking "That, when" and inserting the following:

"SECTION 1. (a) When"; and

(2) by adding at the end thereof the following new subsections:

"(b) The boundaries of Pu'uhonua o Hōnaunau National Historical Park are hereby modified to include approximately 238 acres of lands and interests therein within the area identified as 'Parcel A' on the map entitled 'Pu'uhonua o Hōnaunau National Historical Park Proposed Boundary Additions, Ki'īlāe Village', numbered PUHO-P 415/82,013 and dated May, 2001.

"(c) The Secretary of the Interior is authorized to acquire approximately 159 acres of lands and interests therein within the area identified as 'Parcel B' on the map referenced in subsection (b). Upon the acquisition of such lands or interests therein, the Secretary shall modify the boundaries of Pu'uhonua o Hōnaunau National Historical Park to include such lands or interests therein."

SEC. 3. AUTHORIZATIONS OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

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

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

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

Madam Speaker, H.R. 1906, introduced by the gentlewoman from Hawaii (Mrs. MINK), would amend the act that establishes the Pu'uhonua O Honaunau National Historical Park to expand the boundaries of the park by up to 397 acres. The expansion would add part of the historical village of Ki'ilae, several significant burial caves, and the upper end of the prehistorical royal sledding trek, which all should have been included in the original park boundary in 1955.

Madam Speaker, the Pu'uhonua O Honaunau National Historical Park has become a legacy of Hawaiian culture, housing some of the most significant artifacts of the island's early village life. In fact, the park preserves the site where Hawaiians who broke "kapu," one of the ancient laws used to balance and protect the laws of nature, could avoid certain death by fleeing to a place of refuge, or Pu'uhonua.

Madam Speaker, although not part of the legislation, I would encourage the National Park Service to perform a reconnaissance study of the Kauleoi area, which is adjacent to the lands included in the boundary expansion, for its historical archaeological resources.

Madam Speaker, H.R. 1906 is supported by the administration and the majority and minority of the Committee on Resources. I urge my colleagues to support H.R. 1906, as amended.

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

□ 1430

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

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

Mr. KILDEE. Madam Speaker, H.R. 1906 was introduced by the gentlewoman from Hawaii (Mrs. MINK) and cosponsored by my colleague on the Committee on Resources, the gentleman from Hawaii (Mr. ABERCROMBIE). The bill would amend the act that established the Pu'uhonua O Honaunau National Historical Park in Hawaii to provide for the addition of important archaeological lands to the park.

The park preserves an ancient sacred refuge or sanctuary site and includes numerous archaeological and historical resources dating back to 1100 A.D. It contains spectacular shore scenery as well. However, significant archaeological sites associated with the park remain outside the park boundary.

H.R. 1906, as amended, is identical to S. 1057, which passed the Senate last year and has been referred to the Committee on Resources. H.R. 1906, as amended, adds 238 acres of land in the park and authorizes the future addition of another 159 acres upon acquisition. The lands added by H.R. 1906 would provide for the inclusion of an ancient coastal village within the park, an addition recommended by a 1992 boundary study.

Madam Speaker, the language of H.R. 1906, as amended, is supported by the administration and members of the Hawaiian delegation. I also support the amended bill and urge its adoption by the House today.

Madam Speaker, I yield such time as she may consume to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Madam Speaker, I thank the gentleman from Michigan (Mr. KILDEE) for yielding me this time. I really appreciate this opportunity to ask this House to pass H.R. 1906, which authorizes the expansion of Pu'uhonua O Honaunau National Historical Park. It is an enormously important national treasure which is located in South Kona. I want to especially take this opportunity to thank the gentleman from Utah (Mr. HANSEN) and the gentleman from Michigan (Mr. KILDEE) for reporting this bill up today on suspension and certainly the gentleman from California (Mr. RADANOVICH) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), the subcommittee chairman and the ranking member, for the committee hearing and for reporting this bill out to the full committee. The support of the gentleman from Hawaii (Mr. ABERCROMBIE), who is a member of the Committee on Resources, also has made this event possible today.

The citizens of the Big Island, and really the whole State, are enormously grateful to the Committee on Resources and their leadership for reporting out this bill. They have been lobbying for years to have this done and the park boundaries extended, because so many of the valuable attributes of the park are located currently outside the park boundaries.

The Pu'uhonua O Honaunau National Historical Park, formerly known as the City of Refuge National Historical Park, was authorized on July 26, 1955. It formally was established in 1961. It is a very, very valuable natural, national and native Hawaiian resource. The park had a tradition where the kings and the monarchs of the Republic would allow citizens who had broken a law, a kapu, to escape to this city of refuge; and if they succeeded in arriving there, no harm could come to them until such time as they were released. That is the name, Pu'uhonua O Honaunau, City of Refuge.

There are enormous values that will be added to this park by the passage of this bill. The proposed addition of 397 acres, which includes the Ki'ilae Ahupua'a which is a land designation

of the mountain to the sea, contains many, many important cultural and historic resources. It has some 800 cultural sites; some 25 caves; a minimum of 10 heiaus, which are the native worshipping temples; 25 or more closures which are part of this concept of their religious worships; and over 40 burial sites, including many trails. This addition is going to add some very, very important aspects to an already well-visited park.

The bill, H.R. 1906, has been revised from the original version, which I offered, which would have added some 800 acres. The bill actually parallels identically the bill which was passed by the Senate offered by my colleague in the Senate, Senator AKAKA. Hopefully if this bill passes today and is transferred over to the Senate, it will be very quickly adopted and passed on to the White House for signature.

I am very grateful to hear the words of Chairman HANSEN, who is asking the National Park Service to do a reconnaissance study of the remaining 400 acres which are part of the bill which I introduced which I believe are essential additions to the park. This may take a while for the reconnaissance study to be completed, but I am confident that once it is done that the Park Service will recommend this addition as well to this historic park.

I thank the committee again for taking up this bill. It is enormously important. Our county officials have passed resolutions in support of the addition to Pu'uhonua O Honaunau, and today's action will really come as a great tribute and celebration for the people of Hawaii, particularly the native population that lived in this area since the 12th century.

Mr. HANSEN. Madam Speaker, I compliment the gentlewoman from Hawaii. I think her legislation is very meritorious and should be passed.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise in support of H.R. 1906, which will authorize the expansion of one of the most beautiful and historically important parks in Hawaii.

The site was a place of refugee for the early Hawaiians up into the 19th century. As a national historical park, it is still an important refuge for people today. Several areas neighboring the park have been found to be rich with archaeological artifacts and remains of the Hawaiian culture. The Trust for Public Land has done its part by acquiring and protecting these neighboring lands, but now it is time to make these historical treasures a part of our National Parks System. This will help the National Park continue to be a place where people can get away and learn more about the history and culture of Hawaii.

Hawaii is well known for its fabulous hotels and prestigious resorts, but I am pleased to see that the Gentlelady from Hawaii continues to fight for Hawaii's national parks too—places that are accessible to all Hawaiians and visitors from the continent as well. I support that endeavor, and H.R. 1906.

Mr. ABERCROMBIE. Madam Speaker, I rise today in strong support of H.R. 1906.

The Pu'uhonua o Honaunau National Historical Park was authorized by Congress nearly

50 years ago to preserve a truly unique relic of Hawaiian history and culture. Up until the early 19th century, Hawaiians who broke the ancient code of law could avoid an otherwise certain death by fleeing to this place of refuge, or pu'uhonua, for absolution and clemency. Defeated warriors and non-combatants could also seek refuge here during times of battle. It is this function that gave this park its name, City of Refuge, which was later changed to Pu'uhonua o Honaunau.

In addition to the refuge, which is enclosed by a great wall, the surrounding land also housed several generations of powerful Hawaiian chiefs, adding to the area's great historical value. The pu'uhonua and royal grounds are still considered sacred by native Hawaiians and the sites draw a half million visitors each year who come in search of the vast cultural, spiritual, educational, and recreational opportunities the park has to offer. Visitors can attend cultural demonstrations of traditional Hawaiian arts and crafts, hike along the historic 1871 Trail to several archaeological sites, observe wildlife such as the endangered green sea turtles in Keone Ele cove, or snorkel in the clear waters of Honaunau Bay.

When the National Historic Park was established in 1955, nearly two-thirds of the ancient village of Ki'ilae remained undiscovered and outside of the park in a single private ownership. Recently, the approximately 238-acre Honaunau tract, which contains the balance of the Ki'ilae Village site and a human habitation record stretching back nearly a thousand years, became available for acquisition. This property is extremely rich in pre-history, and provides important clues about ancient Hawaiian life. Agricultural structures, stone piles, and walls are interspersed among recreational sites and the burial sites of the villagers. Acquisition of this area is crucial to protect extraordinary early Hawaiian cultural sites and expand the public understanding and interpretation of cultural traditions and Hawaiian subsistence patterns. This public acquisition will safeguard this important glimpse into early Hawaiian village life and social dynamics.

It is important to note that the acquisition and expansion of Pu'uhonua o Honaunau is overwhelmingly supported by the National Park Service, the County of Hawaii, and the local community. In addition, an identical version of H.R. 1906 has already passed the Senate in the form of S. 1057. All that remains is the passage of H.R. 1906 in the House of Representatives.

I urge my colleagues to protect these ancient Hawaiian cultural sites and support this legislation.

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

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 1906, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HANSEN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous material into the RECORD on the three bills just considered, H.R. 4103, H.R. 3936, and H.R. 1906.

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

There was no objection.

RECOGNIZING NATIONAL HOMEOWNERSHIP MONTH

Mr. GARY G. MILLER of California. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 415) recognizing National Homeownership Month and the importance of homeownership in the United States.

The Clerk read as follows:

H. CON. RES. 415

Whereas the President has issued a proclamation proclaiming June 2002 as National Homeownership Month;

Whereas owning a home represents the American dream for our Nation's families;

Whereas the national homeownership rate has increased to 67.8 percent, higher than at any other time in history for all demographic groups, and homeownership rates among minority families are increasing faster than such rates for the population as a whole;

Whereas the purchase of a home is oftentimes a family's largest personal investment;

Whereas homeownership provides economic stability and security for homeowners and their communities by allowing homeowners to build wealth over the life of the home and have a greater stake in local schools, civic organizations, and churches;

Whereas improving homeownership opportunities requires the commitment and cooperation of private, nonprofit, and public sectors, including the Federal Government and State and local governments; and

Whereas the current policies of the United States Government and the Congress encourage homeownership and should continue to do so in the future: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) fully supports the goals and ideals of National Homeownership Month; and

(2) recognizes the importance of homeownership in building strong communities and families in the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. GARY G. MILLER) and the gentleman from Massachusetts (Mr. FRANK) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. GARY G. MILLER).

GENERAL LEAVE

Mr. GARY G. MILLER of California. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

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

There was no objection.

Mr. GARY G. MILLER of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H. Con. Res. 415 recognizes National Homeownership Month. First, I would like to thank the gentleman from Ohio (Mr. OXLEY), chairman of the Committee on Financial Services, for his interest in this issue. The chairman looks for ways to get involved in housing issues. His willingness to look at new ideas and focus on long-term solutions is really encouraging to the rest of the members of this committee. The gentleman from Massachusetts (Mr. FRANK), the ranking member on the Democratic side, has been very encouraging and also forthright in looking to issues and ways to resolve the housing crisis in this country.

Homeownership is the American dream. I introduced this resolution because I feel so strongly about homeownership. This country is home to people of many different origins; but everyone seems to have the same dream, to own their own home. This dream means many things to many people, independence, financial security, geographic stability, the ability to accumulate personal wealth, a place to raise a family, a prized possession to decorate and improve, or simply a place to go after a long day of work and find peace.

As a homebuilder for over 30 years, I enjoyed watching many people achieve this dream. You could always see the excitement and anticipation in the face of a new homebuyer. I believe very strongly in the dream of homeownership, and I was pleased to see President Bush recognize it by proclaiming June 2002 National Homeownership Month. I look forward to working with him and HUD Secretary Mel Martinez to further the goal of this proclamation.

The role of the Federal Government in homeownership: when I first started my business, I had an old van that used more oil than gas and every tool I had was in a cardboard box in the back of it. It was a small company and I grew that company over the years. But with each passing year, I saw the impact of government on the housing industry and with each year came more government laws and regulations making it harder to build a home. The red tape kept increasing costs, which in business you have to pass on to the consumer. Homes kept getting more expensive.

During National Homeownership Month, I think it is very important that we talk about how the government is impacting home prices. Last month, a 27 percent tariff was placed on Canadian softwood lumber, which will be used to frame homes. This will increase the cost of a new home by at least \$1,500. Although we have a very similar species of wood that is native to the Pacific Northwest, Federal logging restrictions have reduced the supply below demand, so builders need to

import it. The Endangered Species Act is often interpreted to give rats, frogs and plants more rights than people.

In some parts of the country, in my district, specifically, in southern California, the heavy burden of Federal, State and local mandates is creating a generation of people who cannot afford to live in the community where they work and grew up. I call these people the new homeless. Exactly who are the new homeless? In my district it might be a couple whose husband might be a firefighter and the wife is a teacher. They have a good job and they make a good living, but their combined income does not qualify them to buy a median-priced home in Southern California. This is a national problem also occurring in New Jersey, New York, Massachusetts, Colorado and Oregon, among other places. The new homeless either end up renting, postponing the American dream of homeownership, or they commute, sometimes hours, until they find a community they can afford to live in. Although they may be homeowners, the only time they really spend in their home is the 8 hours they spend in bed. Most of the other 16 hours of the day are spent working and commuting to and from work.

I would encourage my colleagues to talk to their D.C. staff to see if you have any of the new homeless individuals in your offices. One of my legislative assistants has been looking for a condo since January. In that time, she has been outbid by \$40,000 on an 854 square-foot condo that is \$40,000 above the asking price and lost out on another opportunity to bid because she got to the property on a Sunday morning the day after it had gone on the market, and it was already under contract. She is almost priced out of the marketplace in the area and about ready to move to a cheaper part of the country. My legislative director and his wife bought a home in Sperryville, Virginia, which is about 2 hours from here. In both cases, the dream of homeownership is becoming a question of affordability and quality of life.

Although nationally homeownership is at an all-time high of 67.8 percent, there are pockets in this country where that statistic is significantly lower, and H. Con. Res. 415 states that improving opportunities for homeownership requires the commitment and the cooperation of all levels of government, Federal, State and local. I hope that National Homeownership Month will encourage that.

The Federal Commitment to Improving Homeownership: I feel strongly about this issue because homeownership is the key to personal wealth in our country. When someone buys a home, they purchase an asset which will grow over time; and as equity accumulates, so does personal wealth. The role of the Federal Government should be to help individuals and families move into homeownership so they would have the ability to achieve personal wealth.

I am so pleased that President Bush has announced his aggressive agenda to expand homeownership opportunities to at least 5.5 million families before the end of the decade. The Federal Government has a long history of supporting housing programs. FHA allows people to become homeowners with as little as 3 percent for a down payment. The Federal Home Loan Bank of San Francisco is working on a program that will help some of the new homeless achieve the dream of homeownership. They have teamed up with the San Francisco Chamber of Commerce and other organizations to offer loans to about 300 middle-income families. What is unique is how they define middle income, because in San Francisco that includes families making about \$100,000 a year.

While there are also great programs helping specific groups of people, I agree with President Bush, we can and must do more to expand homeownership opportunity to all people in this country.

Long-term solutions: when most people talk about housing, they tend to focus on the low-income end of the spectrum. While I agree that assisting this group is important, I firmly believe that until we address the new homeless and begin creating a move-up market for the low-income individuals, we will not resolve our affordability entry level housing crisis.

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The Federal Government supports a lot of great programs such as section 8 rental vouchers, which target low- and moderate-income families. But now these programs are starting to experience inefficiencies because there is no move-up market for the people in the section 8 housing to move out to.

Programs like section 8 rental vouchers are crucial to moving families off welfare and can meet the needs of families who experience an emergency such as a job loss or death of a spouse. However, they should not be considered long-term solutions. Because we do not have a move-up market for a section 8 voucher family, they get stuck relying on government. If they make too much money and no longer qualify for the voucher, they cannot afford to move into their current community; and because they continue to tie up the voucher, other families who need assistance are stuck on waiting lists.

In some areas such as Los Angeles, families are waiting years to get a voucher. This problem is compounded by the lack of housing supply because landlords can charge much higher rents, usually to the new homeless families who can pay the rent, but then cannot save for the down payment.

There is no real incentive to be part of the section 8 voucher program. Fifty-nine percent of Los Angeles section 8 voucher recipients cannot find a place where they can use the voucher use the voucher. To truly address the housing problem in our country, we

need a real solution, not a Band-aid. We need policies which encourage the private sector to provide the housing that is needed; and this is something that the Federal, State, and local governments must really take on, and take on in a serious manner.

I am pleased with President Bush that he has recognized this problem and has a plan to expand home ownership opportunities by working with the private sector to overcome the obstacles facing the new homeless as well as low- and moderate-income families. I am anxious to learn more about his proposal and do everything I can to produce a bill that will implement it.

In conclusion, National Home Ownership Month is exciting. It has created a forum for us to start addressing issues that impact homeownership. I encourage my colleagues to support H. Con. Res. 415 and take time this month to talk to the public housing authorities, Realtors, lenders, and especially perspective homebuyers in their districts to learn about the issues affecting homeownership.

Madam Speaker, I reserve the balance of my time.

Mr. FRANK. Madam Speaker, I yield 5 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Madam Speaker, I thank the gentleman from Massachusetts for yielding me time.

Homeownership Month should be a time to study and take note of both the successes and the problems our country faces in homeownership. The President is in Atlanta speaking today about homeownership for minority Americans, and I applaud him for doing so.

The reason one focuses on minority Americans, people of color, is because of a success story. During the New Deal, one of Roosevelt's aims was for every American to own her own home. Today, we can say that almost every American does own her own home. The average American has obtained homeownership; and if we look at who has not, who has not are, of course, those who have had other disadvantages in society, and particularly people of color.

In the 1990s we had an extraordinary housing boom and people of color forged ahead in homebuying as never before. But with the housing boom came economic boom that has very much subsided. Indeed, unemployment continues to go up every month, even given all of the prognostications about the recession being over. Even so, the housing boom brought a housing bust for many families.

If you live in the District of Columbia or any suburb of any great city in the United States, finding affordable housing is like looking for a needle in a haystack. It has gone to the top of the list of American problems, receiving, however, almost no attention in our country and certainly no attention from this body. It is a great problem of our time.

I do want to focus on a great success story here in the Nation's Capital,

however. I was able in 1997 to get a \$5,000 homebuyer credit for people who buy homes in the District of Columbia if you have not owned a house previously in the District and if you have an income of up to \$90,000 for single people and up to \$130,000 for married people. It goes up to that degree because the need in the District was for middle-income people. We have got more poor people than most other parts of the region.

A \$5,000 homebuyer credit, of course, can be the down payment on a \$100,000 House; and Fannie Mae has monetized the homebuying credit, meaning it is in fact the down payment for many people.

An independent study has looked at the \$5,000 homebuyer credit and what it has done for this city and what a similar credit given by States could do for other large cities. The Greater Washington Research Center in one study found that over half of those who bought homes said the credit caused them to buy at this time. In 2000, 50 percent of those who bought homes in the District of Columbia bought homes because of the credit.

I have a provision before the House that would make the \$5,000 homebuyer credit, perhaps the most successful economic stimulus in the city's history, permanent. It is chiefly responsible for stemming the flight that almost destroyed the city's tax base during the 1980s and during the financial crisis of the 1990s. The credit offers significant evidence that a tightly targeted tax incentive can have a major turnaround effect on a central problem confronting a city. The credit has been so successful that we have recommended that States do the same for many large cities that are rapidly losing taxpayers.

70 percent of the D.C. homeowners who purchased homes the year after the credit was passed did so because of the credit. The \$5,000 homebuyer credit has proved itself so quickly and well that I have been able to get it repeatedly extended by Congress. It is minimally necessary if the city is to have any chance of increasing its still small and depleted tax base, which is an urgent necessity in this city at this time.

I am grateful that the gentleman from Illinois (Speaker HASTERT) has been working with me to extend the credit. Most such credits go up to 9 years. I have had to go every 3 years to get this credit extended. It expires at the end of the next fiscal year, the end of 2003.

The city, your Nation's Capital, needs 100,000 more residents for the capital city to be stable. This credit has proved its worth, using market forces and a tiny tax base, this tax credit provided by the Federal Government. States can do that for cities like Boston and Chicago. Only the Federal Government can do this for the capital of the United States. It has been an extraordinary success. It has helped us to get a diverse tax base once again.

Mr. GARY G. MILLER of California. Madam Speaker, I yield myself 3 minutes.

Madam Speaker, this resolution and what the President is trying to do is an attempt to help people. The best thing you can do to help people in this country is enable them to help themselves.

I remember when I was a boy, I moved to California when I was a year old from Arkansas, and at that point in time I lived in South Whittier, which was the district of my good friend from the Democrat side, the gentlewoman from California (Mrs. NAPOLITANO).

At that time it was a bunch of immigrants. It was "Arkies" and "Okies"; and we had one thing in common, we were poor. My dad left my mother when I was 6 months old and I was raised by my grandparents. We lived in a poor community, but it was our home; and in that home we established pride, and with that pride grew equity.

Today that community is still a community of poor people, but now they are from Mexico and Latin America; but they still have the same thing in common that I did with my neighbors at that time: we were poor.

Homeownership means a lot. What can we do? We need to make sure that the States understand how important it is that we provide opportunity for people through homeownership. I applaud the gentleman from Massachusetts (Mr. FRANK). The gentleman from Massachusetts (Mr. FRANK) looks at this issue, and he understands that section 8 vouchers are great because they help people that need help; but we have never found a unit that has been built with a section 8 voucher.

In order to make sure that people have a place to live, we have to make sure that there is an affordable housing stock that is a level above a section 8 voucher, and that is for people to move out of section 8 homes into affordable homes. With that comes equity, and with that comes a future, and with that comes prosperity for their children and their future.

We need to do everything we can in this country to focus the light on what the problem is. In many cases the problem is government. We need to focus on that issue fervently. The President and the chairman of HUD, Secretary Martinez, are doing what they need to to look at issues and say how can we fast track the process where people can get permits to build houses. How do we eliminate a lot of the restrictions and red tape and regulations? How do we tackle the Endangered Species Act?

I have seen projects in my district that took 5 years to process, where they finally got entitled through the county, only to find because of a lawsuit that the Federal Government placed a mandate over that they now own rat habitat. After 5 years, the project ended up having a designation of "habitat for a rat."

I really believe that people are more important than rats. Yes, we need to be concerned about the environment, but

there was a time in this country when we used to swat flies and poison rats. Now we set aside habitat for those little critters. The problem is, it is not a federally owned habitat; the habitat is owned by private property owners, and that is wrong.

We need to resolve the problems in this country, we need to provide opportunity for people to buy homes, and we need to deal with the new homes properly.

Madam Speaker, I reserve the balance of my time.

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

Madam speaker, I would like to note that I am glad to be here endorsing the importance of homeownership; but as the gentleman from California indicated, homeownership is very important for a significant segment of the population, indeed, we hope for a very large majority. But there will always be people among us who, for economic reasons in particular, will not be able to afford homes, and a rounded housing policy, we will do everything we can to help with homebuilding. It will also help with rental, including the production of rental housing.

I hope that we will continue to support a balanced program, indeed, with more resources than we have done previously.

Mrs. JONES of Ohio. Madam Speaker, giving every family and individual the tools they need to buy a home is good for the homebuyer, the community, and the Nation. We must never lose sight of our goal and National Homeownership Month is the perfect time to rededicate ourselves to this goal.

The housing industry is in a unique position to lead the Nation out of recession in 2002. A new report issued by the National Association of Home Builders, "Housing—The Key to Economic Recovery," shows that housing accounts for about 14 percent of the Nation's Gross Domestic Product, or about one out of every seven dollars spent in the U.S. each year.

The same report shows that the construction of 1,000 single-family homes generates 2,448 jobs in construction and construction-related industries, approximately \$79.4 million in wages and more than \$42.5 million in Federal, State and local tax and revenue fees. Construction of 1,000 multifamily homes generates 1,030 jobs in construction and related industries, approximately \$33.5 million in wages, and more than \$17.8 million in Federal, State, and local tax revenue and fees.

Minority purchase power is rising. Hispanics homeownership increased 39 percent between 1994 and 2000. African-American homeownership increased 24 percent in that same period. However, minority homeownership rates are almost 30 percent lower than the overall national rate.

Homeownership is a wise investment for long-term financial security, and an investment in America.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today in support of H. Con. Res. 415. As we commemorate National Home Ownership Month throughout the month of June, it is the perfect time to remember that nothing sustains the American dream like

owning a home. Home ownership is an essential tool for strengthening our communities and allowing more Americans to accumulate wealth. Homes are where our Nation's families grow, where lives are shaped and where decisions are made.

It is essential that we work to increase the ranks of homeowners in every community across this country, and in particular among members of the African-American community, whose home ownership rates have traditionally lagged far behind other groups.

According to the 2000 census, African-Americans recorded a \$27,910 median household income—the highest ever recorded—while recording record-low poverty rates. In 2001, it was estimated that the total income for African-Americans exceeded \$565 billion, and more than half of African-American married couples had incomes of at least \$50,000.

Yet, according to the U.S. Department of Housing and Urban Development, only 48 percent of African-Americans own homes, compared to 74 percent of white families. And, in a recent study, 36 percent of African-Americans believed that access to capital was their greatest barrier to owning a home.

These statistics show that many families of color are unable to capitalize on the benefits that home ownership provides. For far too long minority communities have been left out of the home ownership process. Though the number of African-American homeowners has increased by more than 20 percent in the last decade, too many people of color are missing out on the power of home ownership because they've fallen prey to decades of unfair lending practices, lack of savings or lack of affordable housing. As we all know, without proprietorship we have no power. This is why we must take responsibility to ensure that our families can prosper through the benefits of owning a home.

That is why the Congressional Black Caucus Foundation created the "With Ownership, Wealth" initiative to promote access to lending and home ownership education and resources for people of color. This initiative is one way that the CBCF is letting people know the importance of home ownership and connecting those people with the funding sources that can make that dream a reality. Since its inception, the Congressional Black Caucus has championed equality for all, and the WOW initiative is merely an extension of our fight to ensure that all Americans will have the opportunity to experience the prosperity that is felt by too few.

Combined with the CBC's agenda to increase the Nation's home ownership rates, this program will serve to develop the all-inclusive America of which we have only dreamt for far too long.

I applaud the Congressional Black Caucus Foundation, under first the extraordinary leadership of Congresswoman EVA CLAYTON and now the groundbreaking leadership of Congressman JEFFERSON, for helping us forge ahead with this incredibly important initiative which will help all Americans realize the American dream.

We still have much work to do to educate consumers about the value—and the responsibility—of owning a home, but I am pleased that more resources are available than ever before to assist potential homebuyers in making this first step toward acquiring wealth. When we give people the right tools to pur-

chase a home, we put them on a road to financial success.

America is only as strong as its communities, and communities are only as strong as the families that live within. Home ownership is part of the foundation of a stable family. It provides a base for marriages to grow, a safe environment for children to learn, and the center through which families bond. Just as importantly, home ownership is the first step to wealth acquisition, and a primary mechanism for building a family asset base.

Ms. JACKSON-LEE of Texas. Madam Speaker, today I rise to voice my support for H. Con. Res. 415, Recognizing National Homeownership Month. Today, there are 73 million Americans, who own a home. As our economy slowed down, housing is the glue that holds the Nation's economy together. This fact alone offers a compelling argument in support of homeownership. Owner-occupied property made up 21 percent of all household wealth in 1998. Moreover, the Federal Reserve says that this was more than 71 percent of all tangible wealth. Housing generates more than 22 percent of the Nation's Gross Domestic Product. Housing accounts for 32 to 40 cents of every dollar consumers spent.

We are ignoring the fact that less than half of America's minority families are homeowners. So, while strides have been made, the gap in homeownership rates is unacceptable until everyone in America has the same opportunity for homeownership. Because where homeownership flourishes, neighborhoods are more stable, and residents are more civic-minded. In addition, schools are better, and crime rates decline. We are marking this month with events across the country. This is our opportunity to spread the word about homeownership—especially to minority families, who own far fewer homes of their own than non-minority families do.

H. Con. Res. 415 helps to recognize homeownership, thus more Americans become homeowners. This is the central mission at HUD. Congress has a long-standing commitment to homeownership. The American housing finance system is the best in the world. Moreover, I support President Bush's initiative to increase minority homeownership as once I did our past President William Jefferson Clinton's efforts as well. Therefore, I strongly support H. Con. Res. 415.

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

Mr. GARY G. MILLER of California. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from California (Mr. GARY G. MILLER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 415.

The question was taken.

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

Mr. GARY G. MILLER of California. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

Chair's prior announcement, further proceedings on this motion will be postponed.

SUPPORTING GOALS AND IDEALS OF MENINGITIS AWARENESS MONTH

Mr. MICA. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 340) supporting the goals and ideals of Meningitis Awareness Month.

The Clerk read as follows:

H. CON. RES. 340

Whereas meningitis is usually caused by a viral or bacterial infection;

Whereas viral meningitis is generally less severe than bacterial meningitis;

Whereas bacterial meningitis caused by the meningococcus, *Neisseria meningitidis*, is one of the most deadly and least understood infections in the United States;

Whereas in 2000 more than 2,900 people in the United States developed meningococcal disease;

Whereas the 2 most common types of meningococcal disease are meningitis, an infection of the fluid that surrounds the spinal cord and the brain, the symptoms of which include high fever, headache, stiff neck, confusion, lethargy, vomiting, and seizures, and meningococemia, an infection of the blood stream, the symptoms of which include a red-brown rash or purple blotches;

Whereas although meningococcal disease can be treated with a number of effective antibiotics, such treatment must begin early in the course of the disease, because the disease can be fatal within hours after the first symptoms appear;

Whereas individuals who survive meningococcal meningitis can suffer from debilitating effects such as hearing and vision loss, learning difficulties or mental retardation, loss of arms and legs, and paralysis;

Whereas between 20 percent and 25 percent of all people carry the bacterium that causes meningococcal disease in the back of their noses and throats without developing the disease, but can pass the bacterium to others;

Whereas the bacterium that causes meningococcal disease can be passed by close contact that involves the exchange of respiratory or throat secretions with someone who is infected or is carrying the bacterium, including coughing, kissing, and sharing items such as cigarettes, lipsticks, foods, drinks, toothbrushes, and mouth guards;

Whereas meningococcal disease cannot be spread merely by being in the same room with an infected person or by breathing the air where an infected person has been;

Whereas meningococcal disease usually develops within 1 to 14 days after exposure;

Whereas although the occurrence of meningococcal disease was once highest among children between the ages of 6 months and 36 months, the occurrence of the disease among older children and adolescents has been increasing in recent years, with a number of outbreaks occurring at schools and universities;

Whereas although a vaccine is currently available which provides protection against 4 of the 5 common strains of meningococcal disease in the United States, vaccinations are rarely administered until after an outbreak occurs;

Whereas the medical community should be encouraged to make a routine practice of informing adolescent patients and their parents about the option of being vaccinated

against this debilitating and often deadly disease; and

Whereas the Meningitis Awareness Key to prevention (MAK) organization has requested that Congress designate April as Meningitis Awareness Month in order to raise public awareness about meningitis and the availability of effective vaccines against meningococcal disease: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress supports the goals and ideals of Meningitis Awareness Month.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MICA) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. MICA).

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

Madam Speaker, I am pleased to have the House consider House Concurrent Resolution 340. I want to take this opportunity to commend my distinguished colleague, the gentleman from California (Mr. DOOLITTLE), for introducing this important measure and also for working so hard to bring this resolution before the floor.

This resolution, which I am pleased to present today on behalf of the Subcommittee on Civil Service and Agency Organization and its chair, the gentleman from Florida (Mr. WELDON), expresses the support of the House for the goals and ideals of Meningitis Awareness Month.

Meningitis is a potentially fatal disease and not a lot is known about it. In the year 2000, nearly 3,000 Americans contracted meningitis, and many of those were newborn. The Meningitis Awareness Key to Prevention Organization has asked that April be recognized as Meningitis Awareness Month. The purpose of this particular recognition is to raise public awareness about meningitis and the availability of effective vaccines against the disease.

□ 1500

Meningitis is an infection of the fluid that surrounds the spinal cord and the brain. The most common forms of meningitis are bacterial meningitis and viral meningitis. Bacterial meningitis is, as the resolution points out, one of the most deadly and least understood infections in the United States. It is highly contagious and can be spread through close contact with others. However, if diagnosed quickly and treated promptly, most people make a full recovery. However, without proper treatment, bacterial meningitis can be fatal, sometimes within hours, or lead to permanent handicaps such as deafness, paralysis, or brain damage.

Historically, most cases of bacterial meningitis occurred among children under 3 years of age. In recent years, however, there have been a number of meningitis outbreaks at both our schools and universities.

Everyone should be aware of the symptoms of bacterial meningitis, par-

ticularly in newborns, children, and also in adults. The symptoms are fever, a stiff neck, an aching back, and sometimes nausea. Viral meningitis is the more common type of meningitis. Although rarely life-threatening, it can severely weaken a person. Since the symptoms of viral meningitis are the same as bacterial meningitis, it is most important that individuals seek medical attention quickly, especially when symptoms appear.

Aside from vaccines, there is no way to protect against contracting meningitis. There are effective vaccines against certain strains of meningitis, but vaccines are rarely administered until after an outbreak has occurred. The medical community should be encouraged to inform adolescents and parents, particularly those of young people, about the option of being vaccinated against this debilitating and potentially deadly disease.

Madam Speaker, I ask all Members to support this resolution.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, approximately 3,000 cases of meningitis occur each year in the United States. Ten to thirteen percent of patients die, despite receiving antibiotics early in the illness. Of those who survive, an additional 10 percent have severe after-effects of the disease, including mental retardation, hearing loss, and loss of limbs.

On September 30, 1997, the American College Health Association, which represents about half of the colleges with student health services in the United States, released a statement recommending that "college health services take a more proactive role in alerting students and their parents about the dangers of meningococcal disease."

Studies undertaken by the Centers for Disease Control and Prevention indicate that freshman college students, particularly those who live in dormitories, constitute a group that are at a modestly increased rate for meningococcal disease.

Meningitis is an infection of the fluid of a person's spinal cord and the fluid that surrounds the brain. The disease is usually caused by a viral or bacterial infection. The bacteria are very common and live naturally in the back of the nose and throat.

They normally spread between people in close and prolonged contact by coughing, sneezing and intimate kissing. Children under 5, teenagers, young adults, and the elderly are most at risk of contracting the disease. However, college students are a key at-risk group because of their lifestyle, which includes the close togetherness of student accommodations.

This resolution supporting Meningitis Awareness Month will alert college students and those most susceptible to the disease to vaccines and immunization efforts that help combat

the disease. I urge all Members to give this bill their support.

Madam Speaker, I reserve the balance of my time.

Mr. MICA. Madam Speaker, I am pleased to yield 5 minutes to the gentleman from California (Mr. DOOLITTLE), who is the author of this resolution.

Mr. DOOLITTLE. Madam Speaker, I very much appreciate the gentleman from Florida (Mr. MICA), our chairman, supporting this resolution and advocating its passage on the floor today. I think he outlined very clearly what the threats are, as did the gentlewoman from the District of Columbia (Ms. NORTON) as well.

I became really intimately aware of the ravages of this disease when a meningitis outbreak hit the Sacramento region in 2000, and then again in 2001, killing five high school students, three of whom were my constituents. Peter and Rose Kwett, personal friends of mine from Carmichael, California, saw their 15-year-old daughter, Mary Jo, taken from them as a result of this dreaded disease.

This year, there have been seven cases reported in my region, including the fatality of a sixth-grade girl from Greer Elementary School in Sacramento.

I introduced this resolution really to heighten the awareness of this terrible disease which afflicts approximately 2,500 individuals in the United States each year. As the gentleman from Florida (Mr. MICA) indicated, people can do certain things to protect themselves, generally involving what we think of as good hygiene habits. Also, there is a vaccine available.

Last year in my home State of California, the legislature passed a resolution designating the month of April as Meningitis Awareness Month. The Meningitis Awareness Key to Prevention Organization supports this resolution, and I urge my colleagues to do the same.

Ms. NORTON. Madam Speaker, I yield back the balance of my time.

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

I would like to close by saying it is the goal of this resolution to raise public awareness about meningitis, and also the availability of the effective vaccines against this potentially debilitating or often fatal disease. I want to take this opportunity to thank the Meningitis Awareness Key to Prevention Organization for its efforts to educate all Americans to recognize the symptoms of this disease and also to urge that individuals seek prompt medical attention.

I also want to thank the gentleman from California (Mr. DOOLITTLE) for his leadership on this issue and for bringing this resolution, because it is important to bring this debilitating disease and information about it before the American public. So I thank him again for his work on this resolution.

Madam Speaker, I urge all Members to support this resolution seeking the goals of Meningitis Awareness Month.

Ms. JACKSON-LEE of Texas. Madam Speaker, approximately 3,000 cases of meningococcal disease occur each year in the United States. Of those infected, 10–13 percent die despite receiving early treatments of antibiotics for the illness. Those who survive the illness, about 10 percent, have severe aftereffects of the disease, such as mental retardation, hearing loss or loss of limbs.

Meningitis is one of the least understood infectious diseases existing in the United States today. Two forms of meningitis, bacterial and viral meningitis, quietly threaten children, and increasingly, adolescents. Bacterial meningitis, the deadlier of the two varieties, causes an inflammation of the lining that surrounds the brain. Approximately 20 percent of the population carries the bacteria in the back of the nose or throat without contracting the disease. If, however, the bacteria move into the bloodstream, the carrier quickly become endangered. Data suggests certain social behaviors such as, exposure to passive and active smoking, bar patronage and excessive alcohol consumption may increase students' risk for contracting the disease. In addition, data also shows that students living in dormitories, particularly freshman, are at increased risk.

Early diagnosis is the key to successful treatment and public awareness is crucial in order to expedite an accurate and timely diagnosis. The vaccines that are available are effective, but are rarely administered before there is an outbreak. The recent outbreaks in Northern California, and nation-wide, have increasingly occurred on high school, college, and university campuses as opposed to occurring in infants, which once had the highest occurrence rate.

As we go on to promote Meningitis Awareness month, we must keep in mind that many of the people who suffer from meningitis are seniors. The most deadly form of meningitis is caused by bacteria, which must be treated immediately with prescription antibiotics. Unfortunately, we still have no prescription drug benefit for our medicare population. It is ironic, and must be addressed.

Therefore, I urge my colleagues to support H. Con. Res. 340 and let us become more aware of meningitis.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Florida (Mr. MICA) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 340.

The question was taken.

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

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. MICA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within

which to revise and extend their remarks on House Concurrent Resolution 340.

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

There was no objection.

RECESS

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

Accordingly (at 3 o'clock and 8 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on the Speaker's approval of the Journal and motions to suspend the rules on which further proceedings were postponed earlier today, in the order in which that motion was entertained.

Votes will be taken in the following order:

The Speaker's approval of the Journal, de novo;.

House Concurrent Resolution 415, by the yeas and nays; and

House Concurrent Resolution 340, by the yeas and nays.

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

THE JOURNAL

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

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

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 307, nays 45, not voting 82, as follows:

[Roll No. 230]

YEAS—307

Abercrombie	Frost	Miller, Gary
Ackerman	Ganske	Miller, Jeff
Akin	Gekas	Mink
Allen	Gibbons	Mollohan
Andrews	Gilchrest	Moore
Armey	Gonzalez	Moran (VA)
Baca	Goode	Morella
Baird	Goodlatte	Murtha
Baldacci	Gordon	Myrick
Ballenger	Goss	Napolitano
Barcia	Graham	Nethercutt
Barr	Granger	Ney
Barrett	Graves	Northup
Bartlett	Green (TX)	Norwood
Bass	Green (WI)	Nussle
Bentsen	Greenwood	Obey
Bereuter	Grucci	Ortiz
Berkley	Hall (OH)	Osborne
Berry	Hall (TX)	Ose
Biggert	Hansen	Otter
Bilirakis	Harman	Owens
Bishop	Hart	Oxley
Blumenauer	Hastings (WA)	Pallone
Blunt	Hayes	Pascrell
Boehner	Hayworth	Pastor
Bonilla	Hill	Paul
Bono	Hinojosa	Pence
Boozman	Hobson	Peterson (PA)
Boswell	Hoefel	Petri
Boyd	Hoekstra	Pickering
Brady (TX)	Holden	Pitts
Brown (OH)	Holt	Platts
Brown (SC)	Hoolley	Pomeroy
Bryant	Horn	Price (NC)
Burr	Hostettler	Radanovich
Burton	Houghton	Rahall
Buyer	Hoyer	Regula
Calvert	Hunter	Rehberg
Camp	Hyde	Reyes
Cantor	Inslee	Reynolds
Capito	Isakson	Rivers
Capps	Issa	Rodriguez
Cardin	Istook	Roemer
Carson (IN)	Jackson (IL)	Rogers (KY)
Castle	Jackson-Lee	Rogers (MI)
Chabot	(TX)	Rohrabacher
Chambliss	Jefferson	Ros-Lehtinen
Clay	John	Ross
Clayton	Johnson (IL)	Roybal-Allard
Clyburn	Johnson, Sam	Royce
Coble	Jones (NC)	Ryan (WI)
Combest	Kanjorski	Sawyer
Cox	Keller	Saxton
Coyne	Kelly	Schakowsky
Cramer	Kennedy (RI)	Schiff
Crenshaw	Kerns	Schrock
Cubin	Kildee	Scott
Culberson	Kind (WI)	Sensenbrenner
Cummings	Kirk	Shaw
Cunningham	Kleczka	Sherman
Davis (CA)	Knollenberg	Sherwood
Davis (FL)	Kolbe	Shimkus
Davis (IL)	LaHood	Shows
Davis, Jo Ann	Lampson	Shuster
Davis, Tom	Langevin	Simmons
Deal	LaTourette	Simpson
DeGette	Leach	Skean
Delahunt	Lee	Skelton
DeLay	Levin	Slaughter
DeMint	Lewis (CA)	Smith (MI)
Deutsch	Lewis (KY)	Smith (NJ)
Diaz-Balart	Linder	Smith (TX)
Dicks	Lofgren	Smith (WA)
Dingell	Lowe	Snyder
Doggett	Lucas (KY)	Solis
Doolittle	Lucas (OK)	Souder
Doyle	Luther	Spratt
Dreier	Maloney (CT)	Stark
Duncan	Maloney (NY)	Stearns
Dunn	Manzullo	Stump
Edwards	Markey	Sullivan
Ehlers	Mascara	Sununu
Ehrlich	Matheson	Sweeney
Emerson	McCarthy (MO)	Tancredo
Engel	McCarthy (NY)	Tanner
Eshoo	McCollum	Tauscher
Etheridge	McCrery	Tauzin
Evans	McGovern	Terry
Everett	McHugh	Thomas
Farr	McIntyre	Thornberry
Flake	McKinney	Thune
Foley	Meehan	Thurman
Forbes	Meek (FL)	Tiahrt
Fossella	Meeks (NY)	Tiberi
Frank	Mica	Tierney
Frelinghuysen	Miller, Dan	Toomey

Turner	Watts (OK)	Wilson (SC)
Upton	Waxman	Wolf
Walden	Weiner	Woolsey
Walsh	Weldon (FL)	Wynn
Wamp	Weldon (PA)	Young (AK)
Watson (CA)	Whitfield	Young (FL)
Watt (NC)	Wicker	

This will be a 5-minute vote.
 The vote was taken by electronic device, and there were—yeas 358, nays 0, not voting 76, as follows:

[Roll No. 231]
 YEAS—358

Rogers (KY)	Smith (NJ)	Tierney
Rogers (MI)	Smith (TX)	Toomey
Rohrabacher	Smith (WA)	Turner
Ros-Lehtinen	Snyder	Udall (CO)
Ross	Solis	Udall (NM)
Royal-Allard	Souder	Upton
Royce	Spratt	Visclosky
Ryan (WI)	Stark	Walden
Sabo	Stearns	Walsh
Sanchez	Strickland	Wamp
Sawyer	Stump	Waters
Schaffer	Stupak	Watson (CA)
Schakowsky	Sullivan	Watt (NC)
Schiff	Sununu	Watts (OK)
Schrock	Sweeney	Waxman
Scott	Tancredo	Weiner
Sensenbrenner	Tanner	Weldon (FL)
Shaw	Tauscher	Weldon (PA)
Sherman	Tauzin	Weller
Sherwood	Taylor (MS)	Whitfield
Shimkus	Terry	Wicker
Shows	Thomas	Wilson (SC)
Shuster	Thompson (CA)	Wolf
Simmons	Thompson (MS)	Woolsey
Simpson	Thornberry	Wu
Skeen	Thune	Wynn
Skelton	Thurman	Young (AK)
Slaughter	Tiahrt	Young (FL)
Smith (MI)	Tiberi	

NAYS—45

Aderholt	Johnson, E. B.	Ramstad
Baldwin	Kennedy (MN)	Sabo
Capuano	Kucinich	Sanchez
Condit	Larsen (WA)	Schaffer
Costello	Latham	Strickland
Crane	LoBiondo	Stupak
DeFazio	McDermott	Taylor (MS)
English	McNulty	Thompson (CA)
Filner	Menendez	Thompson (MS)
Fletcher	Miller, George	Udall (CO)
Gillmor	Moran (KS)	Udall (NM)
Gutknecht	Oberstar	Visclosky
Hastings (FL)	Oliver	Waters
Hefley	Peterson (MN)	Weller
Hulshof	Pombo	Wu

Abercrombie	Emerson	Larson (CT)
Ackerman	Engel	Latham
Aderholt	English	LaTourette
Akin	Eshoo	Leach
Allen	Etheridge	Lee
Andrews	Evans	Levin
Arney	Everett	Lewis (CA)
Baca	Farr	Lewis (GA)
Baird	Filner	Lewis (KY)
Baldacci	Flake	Linder
Baldwin	Fletcher	LoBiondo
Ballenger	Foley	Lofgren
Barcia	Forbes	Lowey
Barr	Fossella	Lucas (KY)
Barrett	Frank	Lucas (OK)
Bartlett	Frelinghuysen	Luther
Bass	Frost	Lynch
Bentsen	Ganske	Maloney (CT)
Bereuter	Gekas	Maloney (NY)
Berkley	Geopardt	Manzullo
Berry	Gibbons	Markey
Biggert	Gilchrist	Mascara
Bilirakis	Gillmor	Matheson
Bishop	Gonzalez	McCarthy (MO)
Blumenauer	Goode	McCarthy (NY)
Blunt	Goodlatte	McCollum
Boehner	Gordon	McCrery
Bonilla	Goss	McDermott
Bono	Graham	McGovern
Boozman	Granger	McHugh
Boswell	Graves	McIntyre
Boucher	Green (TX)	McKinney
Boyd	Green (WI)	McNulty
Brady (TX)	Greenwood	Meehan
Brown (OH)	Grucci	Meek (FL)
Brown (SC)	Gutknecht	Meeks (NY)
Bryant	Hall (OH)	Menendez
Burr	Hall (TX)	Mica
Burton	Hansen	Miller, Dan
Buyer	Harman	Miller, Gary
Calvert	Hastings (FL)	Miller, George
Camp	Hastings (WA)	Miller, Jeff
Cantor	Hayes	Mink
Capito	Hayworth	Mollohan
Capps	Hefley	Moore
Capuano	Hill	Moran (KS)
Cardin	Hinojosa	Moran (VA)
Carson (IN)	Hobson	Morella
Castle	Hoefl	Murtha
Chabot	Hoekstra	Myrick
Chambliss	Holden	Napolitano
Clay	Holt	Neal
Clayton	Hooley	Nethercutt
Clyburn	Horn	Ney
Coble	Hostettler	Northup
Combest	Houghton	Norwood
Condit	Hoyer	Nussle
Costello	Hulshof	Oberstar
Cox	Hunter	Obey
Coyne	Hyde	Olver
Cramer	Inslee	Ortiz
Crane	Isakson	Osborne
Crenshaw	Issa	Ose
Cubin	Istook	Otter
Culberson	Jackson (IL)	Owens
Cummings	Jackson-Lee	Oxley
Cunningham	(TX)	Pallone
Davis (CA)	Jefferson	Pascarell
Davis (FL)	John	Pastor
Davis (IL)	Johnson (IL)	Paul
Davis, Jo Ann	Johnson, E. B.	Pelosi
Davis, Tom	Johnson, Sam	Pence
Deal	Jones (NC)	Peterson (MN)
DeFazio	Kanjorski	Peterson (PA)
DeGette	Keller	Petri
DeLahunt	Kelly	Pickering
DeLay	Kennedy (MN)	Pitts
DeMint	Kennedy (RI)	Platts
Deutsch	Kerns	Pombo
Diaz-Balart	Kildee	Pomeroy
Dicks	Kind (WI)	Price (NC)
Dingell	Kirk	Radanovich
Doggett	Klecza	Rahall
Doillittle	Knollenberg	Ramstad
Doyle	Kolbe	Regula
Dreier	Kucinich	Rehberg
Duncan	LaFalce	Reyes
Dunn	LaHood	Reynolds
Edwards	Lampson	Rivers
Ehlers	Langevin	Rodriguez
Ehrlich	Larsen (WA)	Roemer

NOT VOTING—76

NOT VOTING—82

Bachus	Gutierrez	Pelosi
Baker	Herger	Phelps
Barton	Hilleary	Portman
Becerra	Hilliard	Pryce (OH)
Berman	Hinchev	Putnam
Blagojevich	Honda	Quinn
Boehler	Israel	Rangel
Bonior	Jenkins	Riley
Borski	Johnson (CT)	Rothman
Boucher	Jones (OH)	Roukema
Brady (PA)	Kaptur	Rush
Brown (FL)	Kilpatrick	Ryun (KS)
Callahan	King (NY)	Sanders
Cannon	Kingston	Sandlin
Carson (OK)	LaFalce	Serrano
Clement	Lantos	Sessions
Collins	Larson (CT)	Shadegg
Conyers	Lewis (GA)	Shays
Cooksey	Lipinski	Stenholm
Crowley	Lynch	Taylor (NC)
DeLauro	Matsui	Towns
Dooley	McInnis	Traficant
Fattah	McKeon	Velazquez
Ferguson	Millender-	Vitter
Ford	McDonald	Watkins (OK)
Gallegly	Nadler	Wexler
Geopardt	Neal	Wilson (NM)
Gilman	Payne	

Bachus	Gutierrez	Pryce (OH)
Baker	Hart	Putnam
Barton	Herger	Quinn
Becerra	Hilleary	Rangel
Berman	Hilliard	Riley
Blagojevich	Hinchev	Rothman
Boehler	Honda	Roukema
Bonior	Israel	Rush
Borski	Jenkins	Ryun (KS)
Brady (PA)	Johnson (CT)	Sanders
Brown (FL)	Jones (OH)	Sandlin
Callahan	Kaptur	Saxton
Cannon	Kilpatrick	Serrano
Carson (OK)	King (NY)	Sessions
Clement	Kingston	Shadegg
Collins	Lantos	Shays
Conyers	Lipinski	Stenholm
Cooksey	Matsui	Taylor (NC)
Crowley	McInnis	Towns
DeLauro	McKeon	Traficant
Dooley	Millender-	Velazquez
Fattah	McDonald	Vitter
Ferguson	Nadler	Watkins (OK)
Ford	Payne	Wexler
Gallegly	Phelps	Wilson (NM)
Gilman	Portman	

□ 1856

Mr. FILNER changed his vote from “yea” to “nay.”

So the Journal was approved.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

RECOGNIZING NATIONAL HOMEOWNERSHIP MONTH

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 415.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GARY G. MILLER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 415, on which the yeas and nays are ordered.

□ 1905

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUPPORTING GOALS AND IDEALS OF MENINGITIS AWARENESS MONTH

The SPEAKER pro tempore (Mrs. BIGGERT). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 340.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MICA) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 340, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 360, nays 0, not voting 74, as follows:

[Roll No. 232]

YEAS—360

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Bass
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehkert
Boehner
Bonilla
Bono
Boozman
Boucher
Boyd
Brady (TX)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Castle
Chabot
Chambliss
Clay
Clayton
Clyburn
Coble
Combust
Condit
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge

Evans
Everett
Farr
Filner
Flake
Fletcher
Foley
Forbes
Fossella
Frank
Frelinghuysen
Frost
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hill
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hoolley
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Issa
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)

Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
McCarthy (MO)
McCarthy (NY)
McCollum
McCreery
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascarell
Pastor
Paul
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Price (NC)
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ryan (WI)
Sabo
Sanchez
Sawyer
Saxton
Schaffer
Schakowsky

Schiff
Schrock
Scott
Sensenbrenner
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns

Strickland
Stump
Stupak
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Turner
Udall (CO)
Udall (NM)

Upton
Viselosky
Walden
Walsh
Wamp
Waters
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—74

Bachus
Baker
Barton
Becerra
Berman
Blagojevich
Bonior
Borski
Boswell
Brady (PA)
Brown (FL)
Callahan
Cannon
Carson (OK)
Clement
Collins
Conyers
Cooksey
Crowley
DeLauro
Dooley
Fattah
Ferguson
Ford
Gallegly

Gilman
Gutierrez
Herger
Hilleary
Hilliard
Hinchee
Honda
Horn
Israel
Jenkins
Jones (OH)
Kaptur
Kilpatrick
King (NY)
Kingston
Lantos
Lipinski
Matsui
McInnis
McKeon
Millender-
McDonald
Nadler
Payne
Phelps

Portman
Pryce (OH)
Putnam
Quinn
Rangel
Riley
Rothman
Roukema
Rush
Ryun (KS)
Sanders
Sandlin
Serrano
Sessions
Shadegg
Shays
Stenholm
Taylor (NC)
Towns
Trafiacant
Velazquez
Vitter
Watkins (OK)
Wexler
Wilson (NM)

□ 1912

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. KILPATRICK. Madam Speaker, due to official business in my District, I was unable to record my votes scheduled for June 17, 2002. Had I been present, I would have voted "yea" on the following rollcall votes: On Approving the Journal (rollcall No. 230); H. Con. Res. 415, Recognizing National Homeownership Month (rollcall No. 231); and H. Con. Res. 340, Supporting the Goals and Ideals of Men-ingitis Awareness Month (rollcall No. 232).

WAIVING REQUIREMENT OF
CLAUSE 2(c)(1) OF RULE XII ON A
BILL INCLUDING A PROPOSAL
TO PROVIDE A PRESCRIPTION
DRUG BENEFIT PLAN

Mrs. MYRICK. Madam Speaker, I ask unanimous consent that the requirement of clause 2(c)(1) of rule XII not apply to a bill that includes a proposal to provide a prescription drug benefit plan.

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

There was no objection.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 3686

Mr. DAVIS of Illinois. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3686.

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

There was no objection.

2002 WORLD CUP

(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, at the 2002 World Cup in Korea, what began as a singular and stunning event, the U.S. Men's team victory over Portugal, has become prologue for its current run into the quarter finals. No American men's national team has ever reached this point nor achieved such success.

Last night, our guys convincingly defeated their arch rival and fellow North Americans, Mexico, 2-0. Mexico also had a remarkable run through group play, emerging undefeated, that is until last night.

Coach Arena, once again, put a team on the field that played with conviction and with class. While Mexico dominated possession, our team was opportunistic scoring on all its best chances. Goalkeeper Brad Friedel was once again outstanding, as was overall team defense.

Next up, Friday morning, 7:30 a.m. Eastern Standard Time, mighty Germany, a team that is, again, one of the favorites. France, Argentina, Portugal, and now Mexico have gone home and our team is still playing. Can Germany be next? Join a billion other people for breakfast in Korea. Support our guys Friday morning.

□ 1915

CONGRATULATIONS TO U.S.
SOCCER TEAM

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

Ms. JACKSON-LEE of Texas. Madam Speaker, as a less-than-proficient soccer player, and probably a less-than-proficient soccer fan, let me also add my accolades to the United States soccer team. There are millions of soccer players in the United States, Little Leaguers, and large soccer clubs. Let us applaud our U.S. soccer team for its good sportsmanship and its outstanding accomplishment of reaching the quarter finals.

I hope all Members recognize that sometimes it is lonely to play far, far

away from the United States; but those young men have done an outstanding job. Congratulations, and we wish them the best as they go forward to the next level. I believe we may just be the winners.

SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. BIGGERT). 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.

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

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Mrs. THURMAN) is recognized for 5 minutes.

(Mrs. THURMAN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

PRESCRIPTION DRUG PRICES

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

Mr. GUTKNECHT. Madam Speaker, I rise tonight to talk about an issue that the House is going to be addressing in the next several weeks. We are going to start having hearings, I understand, later this week or early next week on the issue of prescription drugs. What I want to talk about tonight is the difference between what Americans pay for prescription drugs and what consumers in the rest of the world pay.

I have on my Website a chart which is absolutely eye-opening when one looks at the differences for the 15 most commonly prescribed drugs, what we pay in the United States versus what they pay in Europe, and let me give one example. My father is 83 years old. He takes a drug called Coumadin, which is a blood thinner, and one of the most commonly prescribed drugs in the United States.

In the United States, the average price for a 30-day supply of Coumadin is \$64.80. That exact same drug made in the same plant under the same FDA approval sells in Europe for \$15.80. It is four times more expensive in the United States. That pattern repeats

itself with drug after drug after drug. A few years ago when we first started doing this research, the price for a 30-day supply of Coumadin in the United States was not \$68, it was \$38. It has gone up by approximately \$30 in a little over 2.5 years. That is being repeated.

Last year the amount that Americans spent on prescription drugs went up almost 19 percent. That is at a time when the average Social Security recipient received an increase of only 3.5 percent.

It is outrageous. And I am not here to blame the pharmaceutical industry. I am not here to say, shame on the pharmaceutical industry. They have really done some marvelous things, and we all enjoy better health today thanks to the pharmaceutical industry.

I think we need to pay for the research, but what we are finding out more and more is not only do we pay for the research, we pay for the advertising, the marketing. We are paying for a tremendous amount of overhead, and they still are the most profitable industry listed on the New York Stock Exchange. Almost any way it is measured, they are the most profitable.

The American consumer is subsidizing the pharmaceutical industry essentially in three ways: First of all, we subsidize them in the amount that we spend on basic research through the NIH, the Science Foundation, other groups that are doing research. We are subsidizing basic research in the United States by over \$20 billion a year. That is through the taxpayers.

Then we subsidize them in the Tax Code. When they talk about how much they spend on research, that is not exactly the whole story, because when they spend that money on research, at least they can write it off on the bottom line. Most of these companies are extremely profitable, in the 50 percent tax bracket. Half of their research costs, at least, are written off. In some cases they qualify for investment tax credits, and so they get dollar for dollar. In other words, they write off all of the expense on the Tax Code.

The third way we subsidize the pharmaceutical industry is in the prices we pay. Conservatively, we could save American consumers 35 percent if we simply do what we do with virtually every other product, and that is open up the American market so Americans would have access to drugs at world market prices. My vision is that the average consumer should be able to go to their local pharmacy, deal with their local pharmacist, and have this option. If their drug has to come from the American inventory, then they would have to pay the American price, whatever that is, and we will let the pharmaceutical industry decide that.

But if the pharmaceutical industry is willing to sell drugs like Cipro, for example, for half the price in Germany, and that is made by a German company, Bayer. Bayer makes it in Germany, and they will sell it in Germany for half the price that they sell it for

here in the United States. If that is the case, at least allow that consumer to say to their pharmacist, is there a way we can place this order over the Internet and save some money? Then the pharmacist could say, I can order this out of a pharmaceutical supply operation out of Paris, France; Geneva, Switzerland, and you can save 50 percent, whatever the number is.

The reason this becomes important is our own Congressional Budget Office is estimating that American seniors over the next 10 years will spend \$1.8 trillion.

Madam Speaker, if we are correct, by allowing open markets, free markets, we believe in NAFTA, GATT, free trade, except where American consumers could save the most, if we would just simply open our markets and allow that kind of competition, we could save American consumers \$630 billion over the next 10 years.

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

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

H.R. 3250, CODE TALKERS RECOGNITION ACT

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

Mr. THUNE. Madam Speaker, my State of South Dakota has had a long history that extends back before the founding of our country by western explorers, back to a time when buffalo roamed the land and Native American culture was the way of life. Regrettably, the important and revered culture of these great people was nearly erased from American history.

However, at a time when Sioux Indians were discouraged from practicing their native culture, a few brave men used their language to help change the course of our Nation's history. These men are known as the Sioux code talkers. They served our country with distinction in both the Pacific and European theaters of World War II. These code talkers used their Lakota, Dakota and Nakota dialects to send coded communications that the enemy was unable to crack.

They were often sent out on their own to communicate with headquarters regarding enemy location and strength without protection from the enemy. Sometimes they spent over 24 hours in headphones without sleep or food, in terrible conditions.

Today, military commanders credit the code talkers with saving the lives of countless American soldiers and being instrumental to the success of the United States military during World War II.

Two of these Sioux code talkers are still alive today: Clarence Wolf Guts of the Oglala Sioux Tribe and Charles Whitepipe, Sr., of the Rosebud Sioux Tribe.

Unfortunately, the nine other known Sioux code talkers, John Bear King of the Standing Rock Sioux Tribe, Simon Broken Leg and Iver Crow Eagle, Sr., of the Rosebud Sioux Tribe, Eddie Eagle Boy and Philip LaBlanc of the Cheyenne River Sioux Tribe, Baptiste Pumpkinseed of the Oglala Sioux Tribe, Edmund St. John of the Crow Creek Sioux Tribe, and Walter C. John of the Sioux Tribe of Nebraska, have passed away.

In a time in which we fully understand the meaning of the word "hero," I believe we can all agree that these 11 men are truly heroes of our country.

Clarence Wolf Guts and Charles Whitepipe can tell us the stories of the trials and tribulations that they faced as they served our country. Families of the other Sioux code talkers can pass on the stories told them by their husband, father or uncle. These code talkers provided safety to fellow Americans who were fighting so hard for our Nation. They did so by using their culture and their native language which had been passed down to them through the generations.

Last year we rightly honored and recognized the Navajo code talkers for the important role that they played and their heroism during World War II. It is now time to honor and to recognize the Sioux code talkers for their contributions.

Madam Speaker, I was proud to introduce H.R. 3250, The Code Talkers Recognition Act, to honor the men who had risked their lives to save others. Congress should recognize these courageous men for their bravery and heroism in the face of adversity. Tomorrow we will consider this important bill and finally recognize these men for their heroic efforts. I encourage Members to support this legislation to give honor to these brave men.

Madam Speaker, I yield to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Madam Speaker, I heard the gentleman's discussion on the floor about the code talkers and their value to the U.S. military efforts, and I just wanted to add my voice in support for the gentleman's bill.

We knew one of the great code talkers, Carl Gorman, who was a Navajo who fought in major campaigns in the South Pacific. Later while he was recovering from wounds in the war, he became an artist. Part of the rehab was to learn art at the rehab center in Los Angeles, and he became one of the Native American leaders in art, and his son, R.C. Gorman, is now one of the leading artists in the world. Carl was a wonderful guy. He told many great stories, which I know is now reflected in a film that is now playing across America.

I think it is long overdue that all of the code talkers, Navajos and the gen-

tleman's constituents, be given the recognition that they are due. I am happy to offer my full support for the gentleman's efforts.

Mr. THUNE. Madam Speaker, I thank the gentleman from California, who has been a strong advocate for America's military and recognizing the heroes, those in our veteran community who have fought and served.

I would simply add that as we look at the contributions that have been made by the Native American culture to our success in a lot of different conflicts throughout our Nation's history, that these particular men made an enormous contribution in helping America through very turbulent times in succeeding and winning a war that literally liberated the world from nazism.

As we consider this legislation tomorrow, I hope Members will support it and pay the tribute and recognition that is long overdue to the code talkers. I thank the gentleman from California (Mr. HUNTER) for being here.

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AERONAUTICS RESEARCH AND DEVELOPMENT REVITALIZATION ACT

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

Mr. LARSON of Connecticut. Madam Speaker, I come to the floor this evening to discuss a very important issue for our Nation. I am most proud to introduce in a bipartisan fashion legislation entitled the Aeronautics Research and Development Revitalization Act, H.R. 4653, to which we are also continuing to seek cosponsors.

Since the historic flight of Mr. Lindbergh more than 75 years ago this past May, the United States has risen to commercial air dominance, so much so that in this fast-growing industry in 1985 we dominated the market, controlling more than 73 percent of the commercial aircraft industry. Since 1985, however, the United States has been on a perilous slip, so much so that today we control under 50 percent of the global market. The reason I have such great concern about this is because it impacts us not only from a commercial standpoint but also from a military standpoint.

I would draw my colleagues' attention to this first projected chart that we have here. This was a report issued that said "Buy European." Basically, it is saying that the Europeans have set out on a vision, a vision that they call Aeronautical Vision 2020, to capture the market by the year 2020. And so what we see going on in Europe these days is direct subsidization of their industry, direct subsidization by Air Bus, direct subsidization that leads both to the creation of jobs and the ability to take control of this market away from the Americans.

The depth of this concern and the strategy behind it is well thought out and well planned. Here in this country, and rightfully so, we are driven by quarterly returns, driven by the fact that our shareholders of our respective industries expect a good return on their dollar. In order to compete with us long term, what the European Union has recognized is the need to directly subsidize their industry. In the process, Americans continue to shed jobs. We only have to look at the reports of what has happened to Boeing, Lockheed, General Electric, and Pratt & Whitney and understand the concern of a number of Members in this House of ours about the loss of jobs that has occurred, while the European Union would suggest that they are more than willing to spend the kind of money that is necessitated to keep jobs in Europe, recognizing that as we continue our efforts here in this country adhering to quarterly returns that they will be able to augment their industry and make sure that they continue to employ people as we continue to shed jobs here in the United States.

This has long-term ramifications militarily for exactly that reason. Because if we continue to shed jobs here in the United States, we lose the critical mass of highly trained, highly skilled employees who have been the backbone of the aerospace industry here in our great Nation. They have also been the backbone of making sure that we have an unparalleled military and command of the airspace. But if we continue on this precipitous slide, we will soon find ourselves in the position where American-made when it comes to aerospace will no longer be the case.

If you look at these charts, what we have found is that the United States' share of aerospace markets has fallen dramatically. There is a direct correlation between what has happened since 1985 in terms of our share of the market and our willingness to invest in research and development. What we have witnessed is a precipitous dropoff, again where we have gone to more than 70 percent share of the market down to under 50 percent of the market. By the same token, we have seen our investment rise from greater than \$30 billion in research and development to under 15.

I thank the Speaker for the opportunity to point this out. I hope that Members will sign on to H.R. 4653. I look forward to further discussions.

JUNE 10, 2002.

Hon. JOHN B. LARSON,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE LARSON: The Aviation Coalition endorses H.R. 4653, the "Aeronautics Research and Development Revitalization Act of 2002." The Aviation Coalition is comprised of professional societies and trade groups representing more than 1 million engineers, scientists and researchers.

In recent years, our Coalition has expressed concerns that reducing federal funding for aviation research and technology will jeopardize the nation's leadership in providing the technologies needed to develop

the next generation aircraft, improve aviation safety and security, and attract the next generation of aerospace scientists and engineers. Assuring the nation's ability to develop innovative technologies to inhibit future terrorist usurpation of the nation's air transportation system, as well as to develop advanced technologies for our air defense network is of paramount importance.

Over the last decade, funding for the National Aeronautics and Space Administration's (NASA's) aeronautics research and development (R&D) program has fallen by approximately 50 percent, and unfortunately this trend is continuing. The Administration's Fiscal Year 2003 (FY03) budget request of \$541.4M for aeronautics is a reduction of \$58M from FY02 appropriated funding. We strongly support your efforts to counter the dramatic decline in U.S. research and development spending in aeronautics.

The "Aeronautics Research and Development Revitalization Act of 2002" will provide a funding basis for NASA to plan and implement a program to achieve the objectives of their "Aeronautics Blueprint—Toward a Bold New Era of Aviation," which we strongly support. We believe such a program is vital to U.S. Aviation and a necessary response to accelerated research and development by the European Union and other global competitors. By introducing this legislation, you have also taken the first step to address a recommendation of the President's Commission on the Future of the U.S. Aerospace Industry for "the Administration and Congress to work together to fund a new R&D initiative to develop a new 21st Century air transportation system for the nation."

We commend you for leadership in introducing this important legislation, and we look forward to working with you and other Members of Congress, in re-establishing the investment in aeronautics research and development as a national priority.

If you have any questions, please contact Kathryn Holmes at holmesk@asme.org or 202/785-3756, Ext. 390.

[From Defense News, June 10-16, 2002]

BUY EUROPEAN, SAYS REPORT

(By Martin Agüera)

European Union governments should rethink pledges to buy American arms—starting with the Joint Strike Fighter (JSF), Western European Union (WEU) officials say.

Picking the U.S.-led JSF over home-grown alternatives like the Eurofighter would hurt the European aerospace industry and the ability of EU member militaries to work together, they said at a June 5 meeting in Paris.

The countries should "reconsider their participation in the JSF [Joint Strike Fighter] program, bearing in mind European solutions now available and the fact that the effect on the future of the European aeronautics industry of any choice in favor of JSF might be detrimental to strengthening European military capabilities," said the WEU report, "Equipping our forces for Europe's security and defense—priorities and shortcomings."

The only all-European self-defense organization, the WEU has traditionally been subordinate to the trans-Atlantic NATO, to which its 10 members all belong.

A London-based analyst defended the WEU's stance.

"Europe has excellent programs under way, such as the A400M, the Eurofighter, the Gripen or the Meteor medium-range [missile] program, that justify a widespread cooperation. However, Europe has not been able to get its act together," said Paul Beaver, a defense analyst with Ashbourne Beaver Associates.

Beaver noted that countries such as Norway and the Netherlands were supportive of U.S. products for industrial reasons.

"These countries don't have large defense industries and they are acting pragmatically. They have been introduced to the F-16 and the plane has served them well. Also, those countries have taken a close look at what Europe can offer them, and what they see is a European cooperation that is very much hampered by different national problems. Just take the A400M or Meteor, and Germany's parliamentary delays," he said. Germany has yet to formally sign on to either program.

But a member of the WEU's Technological and Aerospace Committee argued that continually seeking American solutions to requirements would starve Europe's industrial base and dull its technological edge.

"We have to be more aware of Europe and what our industry can do and is able to achieve. Otherwise, our stated goal of creating a consolidated defense effort can simply not be met," José Manuel Pedregosa said June 3.

JSF CONCERNS

JSF lead contractor Lockheed Martin Corp., Bethesda, Md., has been gaining ground in attracting development partners—and likely future buyers—in Europe. Several countries have recently signed up to join the United States, Great Britain, Canada, and Denmark to develop the JSF, which will be built in three versions: conventional, aircraft carrier, and short takeoff and vertical landing.

Norway joined the development effort on June 3, pledging 1.06 billion kroner (\$134 million) over a decade, a Norwegian defense official in Washington said. And Italy is poised to sign up as well. Its parliament's defense committee's recommendation to join the program as a second-tier partner now awaits approval by the full legislature, said Filippo Berselli, Italy's secretary of defense. And the Netherlands' new, conservative government signed a memorandum of understanding June 5 pledging about \$800 million toward the development phase of the \$200 billion next-generation fighter program. The Dutch plan to buy some 85 JSFs around 2017 to replace its 137 F-16 fighter aircraft at a cost of up to 7 billion euros (\$6.6 billion).

But not everyone thinks signing up for the JSF is the right move. Franz Timmermanns, Dutch parliamentarian and member of the defense committee for the Social Democratic Party, said the financial risk of participation is very high.

"We have committed ourselves to this program now in such a way that we can only benefit from it if we later on also buy the aircraft. If new priorities in European defense come up now, we will not be able to adjust to that," Timmermanns said in a telephone interview from The Hague on June 5. "This decision now had little to do with defense, but was based on industrial politics and satisfied the Air Force's needs for the next 50 years."

Timmermanns said there is a danger that Europeans may not be able to influence any decisions on JSF. "You have to see that the JSF is still under discussion in the U.S. itself. There may be less [U.S.] F-22s in the end, which could require more roles and missions for the JSF, which in turn could make the JSF costlier. Whatever decision the U.S. will take then, we are stuck with it."

But Lockheed Martin officials called JSF "an ideal example" of a program that promotes interoperability and trans-Atlantic industrial cooperation.

"We are promoting all ways with this program politically, and in industrial business links, to achieve the best interoperability

possible between the U.S. and Europe," Ivor Evans, JSF business development manager at Lockheed Martin's London office, said June 5.

JSF COMMITMENTS

All participants are involved in the system development and demonstration phase. Aircraft purchase decisions must be made in the 2012 time frame. International funding commitments:

United Kingdom: \$2 billion.

Netherlands: \$800 million.

Canada: \$150 million.

Denmark: \$125 million.

Norway: \$134 million.

Italy: Plan awaits legislative approval.

Turkey: In negotiation.

Sources: Lockheed Martin Corp. and Defense News research.

[From Aviation Week & Space Technology, Feb. 5, 2001]

EUROPE SEEKS GLOBAL LEADERSHIP IN AERONAUTICS

(By John D. Morrocco and Jens Flottau)

The European Commission and aerospace industry executives have unveiled "A Vision For 2020" report which outlines the ambitious goals of attaining "global leadership" in aeronautics and creating a "world class air transport system" for Europe.

The report was assembled by European aerospace industry leaders, including EADS Co-Chairmen Jean-Luc Lagardere and Manfred Bischoff and BAE Systems Chairman Sir Richard Evans, at the request of Philippe Busquin, EC commissioner for research. It outlines some lofty ideas for research and development activities and puts the spotlight on the need for increased public funding to turn the vision into a reality.

Implementing the Vision 2020 plan is expected to require more than 100 billion euros (\$93 billion) in the next 20 years, the report said. This takes into account continued public, as well as private funding for the industry. Roughly 30% of civil aeronautics research is now funded by the European Union.

However, German Economics Minister Werner Mueller stressed that there will not be "a competition of subsidies" with the U.S. Repayable state loans to industry for development of the Airbus A380 have already heightened simmering frictions between the U.S. and Europe on this score.

Busquin said the sector faces "stark challenges" in the coming 20 years, including a tripling of the volume of air traffic and increasing public concerns over environmental and safety issues. "The days of higher, further, faster" are definitely numbered and must be replaced by "more affordable, safer, cleaner and quieter."

Specific targets set in the report, which was unveiled at an aeronautics conference in Hamburg last week, include:

"A fivefold reduction in the average accident rate" for aircraft operators worldwide.

A 50% reduction in perceived aircraft noise.

A 50% cut in CO₂ emissions from aircraft per passenger km. and an 80% reduction in oxides of nitrogen emissions.

An air traffic control system capable of handling 16 million flights per year with round-the-clock airport operations.

The report was purposely intended to provide the industry with goals that in some cases will be difficult, if not impossible, to reach, said Busquin. He admitted that while some of the goals proposed were very optimistic, it was important to set ambitious guidelines to serve as incentives for industry.

Better coordination of Europe's research and development activities was highlighted

as a key requirement. The report said aeronautics research in Europe is "substantially behind that of the U.S. and scattered in various national programs and centers." It recommended adopting different forms of cooperation between various programs and transnational partnerships.

Busquin said the EC would set up an Advisory Council for Aeronautics Research in Europe by mid-year to help coordinate activities. The EC will also look for ways to reinforce cooperation and deal with problems which can neither be solved on the national nor on the community level.

Walter Kroll, Chairman of the German aerospace research center DLR, said research in Europe is too fragmented and rife with unnecessary duplication and is also burdened with too much intro-European competition. More synergies would have to be found. Public funding was "the key to success" and should be consistently sustained in the years to come, he said.

The report acknowledged that despite current restructuring efforts European industry still "lagged behind" the U.S. in terms of consolidation. Nevertheless, consolidation is viewed as a "platform for maintaining and enhancing Europe's competitiveness during the next two decades."

European aeronautics experts believe that improved competitiveness will allow the industry to capture a majority of the world market in aircraft, engines and equipment. The industry maintains that this can be achieved through a high degree of innovation and a shorter time-to-market for its products. The goal is to cut development lead times in half.

Evans warned, however, that the process of constant innovation and technological improvement could not be sustained as readily as it would have been in the past due to decreasing defense spending in Europe. He stressed that "virtually all of aerospace technology" initially derived from research for military projects. "We took things out of the basket, but we didn't put back in enough."

Furthermore, the European aerospace industry is in a completely different position from several years ago, as virtually every major company has gone through privatization. He noted that the industry is now dependent on capital markets, good financial returns and investor confidence. As a result, European governments had to recognize that they were competing against other world regions in order to retain manufacturing sites within their own countries.

The European aerospace industry, in Evans' view, will have to focus on high-end products. "Metal fabrication will be in serious decline." In order to keep European businesses competitive and prevent companies from moving to other countries, the tax and regulatory environment would have to be improved, Evans said. "European governments will have to decide if they want a vibrant industry."

Vision 2020 places a strong focus on the environmental impact of air travel. Not only does it plan to dramatically cut exhaust emissions, but also to employ more recyclable materials. Another goal is to eliminate aircraft noise as a "political and social issue." To do so means that noise levels will have to be reduced to 50% of current average levels through new engines, better operational procedures and sensible land planning around airports.

The report noted that industry is exploring concepts for more competitive aircraft designs, including a "next generation of superliners" capable of carrying up to 1,200 passengers. Vision 2020 also includes a readiness to develop "niche markets for supersonic aircraft and freight-carrying airships." Flying wing designs, as well as vertical take-off and

landing vehicles, could also emerge in the commercial world.

OPPOSING SOCIAL SECURITY PRIVATIZATION

The SPEAKER pro tempore (Mr. KIRK). Under a previous order of the House, the gentlewoman from California (Ms. WATERS) is recognized for 5 minutes.

Ms. WATERS. Mr. Speaker, I rise tonight to highlight the importance of Social Security to millions of individuals and their families. Social Security is the Nation's most successful anti-poverty program. It has lifted over 11 million seniors out of poverty. The program has been especially important for women. Sixty percent of all Social Security recipients are women. Nearly two-thirds of all women 65 and older get half or more of their income from Social Security. Nearly one-third of those receive 90 percent or more of their income from Social Security.

Without Social Security, the poverty rate for elderly women would be more than 50 percent. It is currently about 12 percent. While this statistic is still too high, it shows how important the program is. But the President and some Members of Congress want to fundamentally change Social Security, preventing Social Security from carrying out its important role. The President and other supporters of privatization are using the program's long-term financial problems to advance their political agenda. The President suggests that by allowing individuals to divert part of their payroll taxes into private accounts, Social Security will return to firm financial footing and will still be able to continue helping recipients. However, this simply is not true. Privatization will harm Social Security, leaving the well-being of millions of people uncertain. Privatization will likely result in benefit cuts and increase the retirement age for individuals.

In early 2001, the President announced the formation of a commission to develop a plan to strengthen Social Security. The commission's report advocated three plans, all of which would allow for some level of private accounts. What the report fails to mention, though, is that all three plans have significant drawbacks. For example, accounts would likely lose 20 to 40 percent of their value due to administrative charges and management fees. Therefore, senior citizens would have less money at retirement. I am also concerned that individuals would be exposed to significant risk under privatization. Under current law, an individual's benefits are determined by their earnings and payroll tax contributions. He or she is guaranteed a monthly benefit, adjusted for inflation, for life.

Under the President's plan, individuals would be required to play the stock market, exposing themselves to the whims of the market. A person would then have to pick the right time to retire. No matter how skilled an in-

dividual is in reading the market, he or she should not have to gamble with retirement savings. This is unfair. It leaves too much up to chance.

We are not trying to scare our senior citizens. Rather, we want to provide them with both sides of the argument. While Social Security's financial outlook needs to be made more certain, we should not rush to embrace a particular solution that may end up being worse than the current system. As Congress proceeds with this very important debate, we should be providing our seniors with facts, not lofty promises about reforms. Our seniors deserve no less.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-McDONALD) is recognized for 5 minutes.

(Mrs. MILLENDER-McDONALD addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

(Mrs. CLAYTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

SOCIAL SECURITY AND WOMEN

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

Ms. CARSON of Indiana. Mr. Speaker, I rise today in strong support of Social Security, the preservation of it for future generations, particularly with regard to women. As we know, there are more women in the United States than there are men; so it would be appropriate, then, to underscore the needs for women.

Women represent a majority of Social Security recipients in the United States. According to the Social Security Administration, women make up almost 60 percent of all Social Security beneficiaries and approximately 71 percent of beneficiaries 85 years of age and older.

Women rely heavily on Social Security because most do not receive private pensions; therefore, Social Security provides the foundation for most women's retirement security. Recent surveys indicate, Mr. Speaker, that over half of nonmarried women 65 and older receive 80 percent or more of their income from Social Security.

Although Social Security is helpful for women, it still has many inequalities. Social Security tends to protect families consisting of a lifelong paid worker, who is typically the husband. However, women who often leave the workforce temporarily to have children do not receive the same benefits. Estimated predictions state that the Social Security benefits currently received

would be 36.6 percent higher if women were paid as much as men.

However, inequalities within the Social Security system are not only to blame for women receiving less benefits than men. The wage gap continues to hinder equality among recipients based on gender. Although the Equal Pay Act became public in 1963, making it illegal to pay women lower rates for the same job strictly on the basis of sex, almost 4 decades later the wage gap among women and men persists and this has a direct impact on Social Security. At the end of 2001, women's average monthly retirement benefit was, on average, \$229 less than men's. Our retirement system is employment based, and women are unfairly penalized as they reach retirement age.

However, Social Security was designed to be a guaranteed source of income for retired persons. Although both genders can sometimes find their benefits exhausted, women are particularly at risk. In my State of Indiana, not only is Social Security a necessity among women. It is crucial to many retirees, families, and disabled workers. In Indiana, benefits were paid to close to 1 million persons during the month of December, 2000. This number included over 600,000 retired workers, over 100,000 widows and widowers, over 100,000 disabled workers, almost 60,000 wives and husbands, and over 80,000 children. Social Security beneficiaries represent 16 percent of the total population of the State of Indiana, 95 percent of Indiana's population age 65 and older.

Social Security is the heart of our Nation's insurance. When it was inspired and inaugurated under President Roosevelt in 1935, it was an excellent idea. It was a good idea then; it is a good idea now. It is both our fiscal and moral responsibility to provide our Nation's seniors, especially women, with the benefits that they so rightfully deserve. We cannot abandon our senior citizens and future generations. It would be a grave injustice to deprive them of Social Security benefits. Today's beneficiaries have worked long and hard, paid their taxes, earned their right to a happy and long retirement. It is the responsibility of Congress to make sure that this promise is kept.

In Indiana, over 700,000 people receive Social Security benefits. Of that 700,000, Mr. Speaker, 60 percent of those beneficiaries are women, many of whom live in borderline poverty. We must not privatize Social Security. We must secure Social Security, Mr. Speaker.

□ 1945

The SPEAKER pro tempore (Mr. KIRK). 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.)

EXPANDING THE TRADE ADJUSTMENT ASSISTANCE PROGRAM

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

Ms. HOOLEY of Oregon. Mr. Speaker, there is little arguing about the macroeconomic benefits of free and open trade. International trade agreements lower prices, they encourage higher productivity; and ultimately, they improve consumer choice. But these gains, no matter how significant to our economy, are net gains, because increases in imports usually contribute to a plant closing and worker layoffs. That is because the gains from international trade tend to be very large and are widely distributed throughout our economy. The U.S. economy's ability to create jobs is virtually unmatched by any other Nation.

Unfortunately, that is a simplistic view. The cost of imports are heavily concentrated by industry, location, and worker demographics. And while our economy has demonstrated an ability to create jobs, job creation does not always take place at the same location where jobs are lost. One need look no further than our last census for proof.

New jobs are in different industries than jobs lost. The vast majority of trade-related job losses are in the manufacturing sector. Between 1979 and 1999, 17 million American workers lost their jobs from manufacturing industries. However, during that same period of time, the United States added 39 million jobs. So essentially, for every job lost in the manufacturing sector, more than two jobs were created in the economy.

Almost all the net new jobs created have been in the service sector, which require new skills and, in many cases, do not provide the same wages or benefits which existed at a previous job.

So, yes, the fact remains that the macroeconomic gains from international trade almost always outweigh the cost. However, these costs are significant for individual workers and their families and to the towns and communities in which they live.

As we have seen in the past several years, the costs can undermine efforts to further liberalize trade, which is the position we find ourselves in tonight. Ours is a Nation built on commerce, and I support giving the executive branch the authority to negotiate with foreign nations to lower trade barriers.

We do not need 535 trade ambassadors. What we do need is a mechanism which allows the executive branch to negotiate on behalf of Congress and to ensure the will of Congress is respected in those negotiations.

So far, the legislation granting the President fast track trade negotiating authority has not lived up to this requirement; and as such, I have not supported it. One of the reasons the administration has not been able to rally support for fast track is because of the lousy job we have done in remedying the casualties of trade.

Now, by the way, this has gone on for a long time, for 40 years. Forty years ago, President Kennedy spoke of the need to ensure American workers who lose their jobs to imports are retrained for other careers. Quoting President Kennedy, he said: "Those injured by trade competition should not be required to bear the full brunt of the impact. Rather, the burden of economic adjustment should be borne in part by the Federal Government. There is an obligation to render assistance to those who suffer as a result of national trade policy."

Those remarks culminated in the enactment of the Trade Adjustment Assistance program, or TAA, in 1962. At the time, the United States had an enormous trade surplus, imports only comprised 5 percent of the gross domestic product and manufacturing comprised 30 percent of total employment.

Fast forward to today, 40 years later. The share of imports of GDP has tripled, trade surplus has turned into a huge trade deficit and the manufacturing share of total employment has fallen to 13 percent. Despite our strong economic growth, it appears President Kennedy's comment is more relevant today than it was 40 years ago.

While TAA may not erase all the economic pain caused by dislocation, it has made the adjustment to a new job a little easier, and represents small compensation for the losses they and their families have experienced. However, there is a lot of room for improvement in the TAA program. We need to expand the program and ensure that it will offer financial support, retraining and relocation benefits as Americans work to upgrade their skills and transition into more complex jobs that offer them the best opportunity of reclaiming old earning levels.

The other body has made substantial inroads into improving the program in its consideration of fast track legislation, especially in the area that concerns most of us, and that is affordable health care.

Mr. Speaker, as millions of Americans have discovered, losing a good-paying job is bad enough; but losing health insurance is a straw that can break the camel's back. Health insurance is very expensive, which is why nearly one in seven Americans, or 39 million people, do not have health insurance. Currently, workers who lose their jobs are eligible for extended health care insurance which enables them to retain the health insurance they had at their jobs, but at four to six times the amount they formerly paid while employed.

The other body's proposal would remedy that situation by ensuring that TAA eligible workers would have a tax credit of 70 percent of their health insurance premiums. Workers would actually be able to afford health insurance as they seek retraining assistance, a key to ensuring that they finish their retraining. The other body's TAA tax credit provision guarantees

that workers will have access to the coverage they need at a price they can afford. Forty years after the creation of the TAA program, it is high time Congress gave it the resources it needs to be better prepared to better prepare the American workforce for the challenges and opportunities of a global economy. I hope we can all approve of an expanded TAA program that includes health care.

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

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

NOT ALL LAWMAKERS BACK PLAN ON IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, as many in this Nation and many around the world, I do not like Saddam Hussein. I do not like him for what he does to the children of his nation, the women of his nation, and the people who are in need in his nation. I do not like what he does with the humanitarian aid, holding it hostage, so those who need medicine and health care, nutrition, those who go hungry, are not served well by his leadership. There is no doubt that he has the capacity and has been engaged in manufacturing weapons of terror and also the kind of chemical warfare that all the world abhors. He is not the kind of leader that any of us would advocate for.

But I raise my voice out of concern for the recent announcements over the past weekend, now finding out that these are somewhat old in their pronouncements, that there are those who previously in months past were aware of the thinking of the administration dealing with covert action in Iraq. In fact, there are articles in our newspapers across the Nation suggesting lawmakers back action against Iraq.

Let me step aside, Mr. Speaker, and stand outside of that circle and speak for what I believe to be many of those in the United States who will ask the question, are we prepared, and what is the basis of that action? I have already stated that the leader of this nation, the leader of the Iraq nation, that is, is not a person who advocates the values that we believe in. I have already indicated that I believe that the country needs a change in leadership.

But in respect to the approach, the question has to be, What is the involvement in oversight of the United States Congress? What are the decisions that will be made with respect to these actions?

We well know that, tragically, Saddam Hussein tried to assassinate one of our Presidents, and we cannot tolerate that; and I would not stand for that kind of action or advocate it or allow it

to go unpunished. But we also know that there is no indication that he had anything to do with the horrible act of September 11. We also know that his activities can be classified as bumbling.

We also realize that if we are to engage in a covert action that may include the killing of this leader out of self-defense, that we may also put this Nation's military personnel in the position of a ground war. It has been suggested that 200,000 men and women would be needed for a ground war in Iraq. We realize that Korea was not successful to the point we wanted. The DMZ still exists between North and South Korea, and there is the tragedy of terrible hunger and devastation going on in North Korea. Though we pay tribute to the men who fought in the Korean War, and we thank them, we still have North and South Korea.

We also realize that though we pay tribute to the thousands of young men who lost their lives and those who served in the Vietnam War, we know that Vietnam was not successful to the point we wanted.

We also recognize that out of the turmoil of the Cold War, that the Berlin Wall did fall, and it fell because those in Berlin desired it to fall and the people brought it down.

I believe we need more oversight and insight into decisions to be made regarding Iraq. I oppose these pronouncements suggesting that the next step is for this Nation to enter into a war. We realize that four prior covert actions involving everything from radio propaganda to paramilitary plots have failed to dislodge the Iraqi leader, just as smart bombs, Cruise Missiles and stiff economic sanctions have failed as well. I believe we need more deliberation.

But, most importantly, I am aghast, if you will, at the fact that we are making these pronouncements with what I believe to be little thought. What is the plan? If we have a plan, bring it to the United States Congress. Yes, I understand there is need for the protection of our intelligence sources, and as well that there are decisions that the Commander in Chief has to make. But I am extremely opposed to these kind of war mongering efforts without any facts and without any substance.

It is important to realize that the lives of Americans are on the line. Yes, I am standing toe-to-toe and head-to-head and shoulder-to-shoulder on fighting terrorism in America. I supported the resolution that gave the President the authority to fight terrorism in Afghanistan. I am pleased that Chairman Karzai has recently taken over the leadership of Afghanistan so we will have a head of state to help us fight that war.

But it is extremely important, Mr. Speaker, as I close, in light of the tragedy of September 11, in light of the questions about sharing intelligence between the FBI and the CIA, to know whether we are making the right decision of this covert action, whether or not we are putting our young men and

women in jeopardy, in harm's way, without any facts and any study and any plan.

No, lawmakers in totality are not for this plan, and we need to question it and stand up and be counted and not be afraid of being called unpatriotic, because I believe that that is what democracy is all about, is to ask the questions and get the solutions.

Mr. Speaker, amid a growing debate over whether to expand the post-September 11 "war on terrorism" to Iraq and amid fears that Iraq could provide weapons of mass destruction expertise to terrorist groups, President Bush has threatened unspecified action against Iraq to prevent its re-emergence as a threat. The House passed H.J. Res. 75 by a vote of 392-12, which said that Iraq's refusal to readmit U.N. inspectors is a material breach of its international obligations and a mounting threat to peace and security. The resolution did not explicitly authorize U.S. military action.

Amid U.S. threats, Iraq held a meeting with U.N. Secretary General Annan on the restart of inspections. Secretary of Defense Rumsfeld suggested that the United States would accept new inspections only if such inspections were unconditional and comprehensive, a standard that some Administration officials believe Iraq will never meet.

Several Western and most Arab governments are opposed to a U.S. military campaign against Iraq, a message reinforced by Arab leaders to Vice President CHENEY on his trip to the Middle East in March. Arab leaders have voiced opposition to an attack on Iraq at the Arab League summit, during which Iraq and Kuwait took some steps to reconcile.

Top U.S. military leaders see major risks and difficulties in a large U.S. ground offensive, which could require up to 250,000 U.S. troops, intended to overthrow Saddam and install a new government. President Bush said that he has not decided on whether to authorize a U.S. military offensive against Iraq.

The CIA proliferation assessment for Congress repeats U.S. suspicions of Iraqi rebuilding of and research on weapons of mass destruction but presents little hard evidence of such activity. Britain considered releasing in April 2002 a dossier of Iraqi weapons of mass destruction rebuilding but decided not to. The British concluded that its evidence was not sufficiently convincing. There are also allegations of illicit Iraqi imports of conventional military equipment. Iraq has been illicitly obtaining spare parts for fighter jets and helicopters from Belarus, Ukraine, and the former Yugoslavia. Additional reports discuss weapons buys from Ukraine.

As international concerns for the plight of the Iraqi people has grown, the United States has found it increasingly difficult to maintain support for international sanctions. The "oil-for-food" program has been progressively modified to improve the living standards of Iraqis. The United States has eased its own sanctions to align them with the program.

Iraq does not deserve international respect; that I agree with. However, unilateral foreign policy decisions affirmed by some leaders of Congress are not good either. We need full congressional oversight and review, including more voices to be heard, on whether covert

action against Iraq would be successful or lead America into action against Iraq with no allies. I believe we have no consensus on an invasion of Iraq and I am requesting a full review by Congress of the Administration's move against Iraq now—and where it will lead us.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 327, SMALL BUSINESS PAPERWORK RELIEF ACT

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 107-510) on the resolution (H. Res. 444) providing for consideration of the Senate amendments to the bill (H.R. 327) to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses, which was referred to the House Calendar and ordered to be printed.

THE NEED FOR A MEDICARE PRESCRIPTION DRUG PLAN

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

Mr. PALLONE. Mr. Speaker, this evening, and I have a couple of my colleagues on the Democratic side that will join me, I am going to be talking again about the need for a Medicare prescription drug plan. I think, as you know, we have a situation where tomorrow, hopefully, if not Wednesday, we are finally going to see an opportunity in committee for the Republican leadership in the House to present what they claim to be a prescription drug plan, and hopefully an opportunity for the Democratic proposal also to be considered, both in the Committee on Energy and Commerce as well as in the Committee on Ways and Means.

I know that some of my colleagues know that for the last 2 months myself as well as some of the Members who are going to be joining me tonight have been demanding really that the Republican leadership bring up a prescription drug plan and allow us to consider prescription drugs on the floor of the House. It has been far too long since the Republican leadership has essentially stalled on a proposal. But now we hear that tomorrow, if not Wednesday, they are finally going to allow the two committees of jurisdiction to consider the prescription drug issue.

□ 2000

I would point out, however, though, that my concern over the Republican proposal, which we still do not have, but we have been provided some sort of

vague description of, is not a Medicare prescription drug plan; in other words, it is not going to cover all of the seniors who are currently under Medicare and provide them with a prescription drug guaranteed plan under Medicare. Rather, what the Republicans propose to do is to simply throw some money to private insurance companies in the hope that they will offer drug-only policies and that some seniors would be able to take advantage of those. They also do not address the issue of cost at all; they do not have any mechanism to bring costs down.

Democrats have been saying all along in our proposal which we have put forward, basically, it would provide a Medicare-guaranteed drug benefit, a generous benefit; 80 percent of the cost would be paid for by the Federal Government, every senior would be guaranteed the benefit across the country, and we would bring costs down by basically saying or mandating that the Secretary of Health and Human Services negotiate lower drug prices because he now represents or has the negotiating power for 40 million American seniors.

Now, I would like to yield some time, but I want to point out, Mr. Speaker, that the problems with the GOP drug plan have been pointed out many times by many experts. Over the weekend, actually in Sunday's New York Times, Sunday, June 16, there was an article called "Experts Wary of GOP Drug Plan." I am not going to get into it now; I may a little later this evening. But basically they say in this article that drug-only coverage is not affordable and that insurers will not provide it. So essentially under the Republican plan, most seniors, if not every senior, will not be able to get a decent prescription drug program, if any at all.

With that, I would like to yield to the gentlewoman from Texas (Ms. JACKSON-LEE), who has joined me on many of these lonely evenings when we have tried to get the point across that we need to debate the prescription drug proposal; even if it is a lousy proposal on the part of the Republicans, let us debate it. Let us have an opportunity to contrast it with the Democratic proposal. I am pleased to say to the gentlewoman that it looks like, I am keeping my fingers crossed, but it looks like tomorrow or Wednesday, at least in committee, that opportunity will present itself. So I yield to the gentlewoman.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman. The reason I have joined the gentleman is because I can think of, among the many issues that we have to contend with, no issue that has prolonged itself disastrously as much as providing seniors the opportunity to have a prescription drug benefit with Medicare. I would like to just put these words on our screen, because there must be someone across America sighing right now: Seniors have waited long enough.

I am trying to count the months that have gotten down to 48 months, I think, and if I am not mistaken, that may be 4 years, and I think it has probably been 4 years and counting that we have tried day after day, month after month, and session after session to be able to respond to seniors who are in need. So if I can say anything, I can share with my colleagues this evening that I can take the time to talk about what we have come up with, because I believe seniors have waited too long. I can at least share our thoughts as to how we hope the hearings will proceed on Wednesday.

Let me just take a slightly different twist, because the gentleman is right. There are many experts on this legislative process that we hope will come into fruition on Wednesday, and I am hoping that we can challenge the pharmaceutical companies to look at what we have put forward and begin a real partnership in terms of answering the concerns of seniors. One, I do not see how they cannot acknowledge that seniors have waited too long and that, in fact, we have a proposal that is fair and balanced. I was trying to discern what the Republicans are offering. Let me just share why I think this is effective.

One of the things that we have to address with seniors is to give them a plan that is real, that does not have a lot of smoke and mirrors, because if we do that, it is confusing, it is stressful for seniors. I have been in pharmacies, and I believe when we debated last week, we talked about our good friend from Arkansas who owned a pharmacy, and I applauded him for the small pharmacies, the mom-and-pop or the family-owned pharmacies, how much they extend themselves to help our seniors and explain to them about the drugs, to try to share with them that they cannot take half of the amount that the prescription requires. But I can imagine, if we were to utilize what we think might be the Republican plan, the confusion of many seniors around the Nation trying to understand what they have.

Ours is plain and simple. It has no gaps, it has no gimmicks. The premium is \$25 a month, the deductible is \$100 a year; coinsurance, beneficiaries pay 20 percent, plain and simple; Medicare pays 80 percent, plain and simple. Out-of-pocket limit, \$2,000 per beneficiary per year. We must realize that sometimes this is an economic hit, if you will, for our seniors who are husbands and wives with high prescription drug costs. It takes a large amount out of their collective income and, therefore, putting this amount so that they know what they can budget and know the options that they have, pretty plain and simple.

Additional low-income assistance. Of course, many of our congressional districts, whether we are urban or rural, have individuals who have incomes that are not going through the roof. So we are prepared to give assistance for

those incomes up to \$13,290, no premium or coinsurance. Again, plain and simple. Then we have a sliding scale.

Now, in contrast, let me just say that as I am trying to read what may come out on Wednesday, I know for a fact that Republicans have no defined benefits, so we cannot get our hands around what kind of help our seniors will get. That is a concern to me. They create a drug benefit with a \$250 deductible. That is pretty high. They have an 80-20 coinsurance split between the government and the beneficiaries, but they have a scale that does not make sense. The first thousand, and then a 50-50 coinsurance split for the next thousand, and that looks like it is just going up and up and up until you cap out at \$4,500. That hurts the constituents that I know. It does not seem to clearly define where we are going with it.

No defined premium. We have already said; we have it right here. Plain and simple, understandable to a senior citizen, they can pretty well grasp that is what I am going to have to pay, and that is not in the Republican plan.

One of the things, when I speak to my mother, because I have gone with her to the pharmacy, and I am very delighted that she has had the family pharmacist who has tried to help her wade through this large mass of prescription drugs that she needs. We are so grateful that we have the opportunity to see seniors live healthy lives because they are having, to a certain extent, better access to health care, as we mentioned last week, because of Medicare when in 1965 President Johnson saw fit to put it in place.

We have in the instance of the Republican plan no guaranteed access to drugs that seniors need. The plan they are offering seems to put in strictures the access to certain drugs, access to certain covered drugs. Does that mean that they are going to cover only popular drugs, or does that mean that they are going to only cover hard-to-access drugs so that the popular drugs that the senior needs, such as for heart disease and diabetes and high blood pressure, typical ailments, does that mean because they are so popular, they will not have access to those drugs? I am confused about that and disturbed.

I yield to the gentleman.

Mr. PALLONE. Mr. Speaker, I think the gentlewoman is really contrasting what the Democrats have in mind versus what the Republicans have in mind. The most important thing I think the gentlewoman said is that we are very clear about what we are doing, and they are very unclear about what they are doing.

Essentially what the gentlewoman describes in terms of the Democrat proposal is no different from what we have right now under Part B. I do not want to sound too bureaucratic, but I think seniors understand that right now, if they need their hospital bill paid, that is basically paid for under Part A. If they need their doctor bills paid, then they pay a premium which is so much

a month, fairly low, a low deductible, and 80 percent of the cost of the doctor bills are paid for by the Federal Government under Medicare.

What the gentlewoman described as the Democratic proposal is essentially a new part for Medicare, we call it Part D, but it is very similar to Part B with doctor bills. In other words, you pay a defined premium, \$25, there is \$100 deductible, and then 80 percent of the cost, up to \$2,000, is paid for by the Federal Government. After that the entire thing is paid for by the Federal Government. For those people who are below a certain premium, the entire thing is paid for by the Federal Government, just like Part B with doctor bills. So it is clear what we are doing. And we are doing it under Medicare, which has been a very successful government program.

The problem with the Republicans is that they do not like Medicare. They do not like government programs. So they are coming up with whatever they possibly can do to avoid Medicare. They may say they are providing a Medicare prescription drug benefit, but the only reason that they can say it is because they are addressing the over-65 population, not because they are actually expanding Medicare to provide a guaranteed benefit.

I do not want to, I hate to read, but The New York Times article on Sunday was so much to the point, because if I could just read 2 paragraphs, it says, "Under the proposal," the Republican proposal, "Medicare would pay subsidies to private entities to offer insurance coverage for the cost of prescription drugs. Such drug-only insurance does not exist, and many private insurers doubt whether they could offer it at an affordable price. I am very skeptical that drug-only private plans would develop," said Bill Gradison, a former Congressman who is President of the Health Insurance Association of America.

This is the industry, the health insurance industry. The gentleman from California (Mr. THOMAS), the chairman, Republican chairman of the Committee on Ways and Means, insisted, "We should rely on private sector innovation delivering the drug benefit. The private sector approach offers the most savings per prescription." But the policy director for AARP said, "There is a risk repeating the HMO experience with any proposal that relies heavily on private entities to provide Medicare drug benefits."

Now, what I am hearing is the Republican leadership, in this case the chairman of the Committee on Ways and Means, the gentleman from California (Mr. THOMAS), just does not like the fact that Medicare is a government program. He is saying even though the insurance people are saying, we are not going to offer these policies; you can give us these subsidies, we are not going to offer these policies, seniors are not going to have this benefit, but he still insists that it has to be outside of Medicare, or private.

Then, when the other person representing the HMOs points out, well, you have already done this with the HMOs, you were hoping that by throwing them some money that you would get them to offer prescription drugs, they have not done it. More and more are dropping out. Fewer and fewer policies are available.

So I guess the frustration for me and for both of my colleagues is that we know that Medicare works. We know that trying this private sector giving money to insurance companies did not work with the HMOs. We know that the insurance companies say they are not going to do it.

The gentlewoman started off this evening talking about 4 years. Well, the gentlewoman knows 4 years ago the Republican leadership passed the same thing on the floor, drug-only policies. And everyone said, it will not work, nobody is going to sell them. So for the life of me, I just do not understand how they can come back here again with the same old, tired stuff that does not work, proof that it does not work, and they still insist.

Ms. JACKSON-LEE of Texas. Mr. Speaker, if the gentleman will yield, and I see the distinguished gentleman from Connecticut, who has certainly spent a lot of time on these issues. I appreciate the gentleman reading the article, and I think that was worthwhile to show the contrast.

The gentleman used the word "skepticism" I think was in the article, and I want to add the word "speculating." So this is a program that speculates that it might work, and that is the frustration that I see that the gentleman is expressing, and that is the frustration I have, recalling again our debate last week, and it was the frustration of going home every single week having our constituents ask us when. So if the Republicans are going to be serious, let us not play around with what is sometimes a life-and-death question for our senior citizens as it relates to health care.

I would simply close by saying, there is no doubt, the data is clear, that when we passed Medicare, we put years of life on our seniors in America, just as when we passed Social Security in the 1940s to give destitute individuals who really had worked all of their lives some ability to live past retirement to have income. Medicare provided the health care component to it.

Now we come to modernizing Medicare, we all believe in that, and modernizing it is the goal with now the expanded life span, if you will, of our seniors. In order to make that life extension whole, they have to have prescription drugs. Nothing in the Republican plan speaks to making that a reality.

So I am hoping that we can be, if you will, encompassing, and I hope we can be bipartisan. Why not look to a plan that exists?

I will conclude simply by saying that I will be optimistic. Why can our pharmaceutical companies not look at a realistic plan that we have as Democrats,

see the vitality of it, and work with us to be able to assure that Medicare is reformed, expanded, and has a prescription drug benefit plan that works so that our seniors will have access to the drugs they need?

□ 2015

I cannot foresee or cannot imagine how my colleagues can turn their back on millions of seniors who would take advantage of this plan to make sure that they remain healthy and have access to the prescription drugs that they need.

So I thank the gentleman very much for bringing this to our attention on the floor, bringing it to our attention that we have until Wednesday, which we hope that we will see a fair hearing, a bipartisan hearing, and that the proposals that we are offering, that really offer closing the gaps and not relying on gimmicks, will have the opportunity to be heard in the committee hearings.

Mr. PALLONE. Mr. Speaker, I yield now to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Mr. Speaker, I thank the gentleman from New Jersey for yielding, and I join with the distinguished gentlewoman from Texas in addressing this very important issue that in so many respects he has been like the lone sentinel on the watchwall of freedom, making sure that everyone understands the importance and significance of this issue.

As the gentlewoman from Texas has pointed out, there is not a weekend that I travel home that I do not hear from senior citizens about this issue, and basically we are all hopeful, as she pointed out, that there would be a solution here, hopefully a bipartisan solution. After all, we have got a Presidential race where both major candidates and the third-party candidate all agreed that we needed to have prescription drug relief for senior citizens, and everybody, at every gathering, talked about the greatest generation ever, and heralded Tom Brokaw's book, and talked about the great sacrifices these individuals have made, and gave them great hope that truly every Member of Congress, most members in local statehouses, all campaigned on the issue in 2000 that we would provide relief for seniors.

So everyone every weekend we come home, and there still has not been a debate on the floor. They cry out and ask why, and it is, with hopefully some optimism, that we are going to have an opportunity not only to debate, but hopefully to pass some constructive legislation.

I applaud the gentleman for not only reading the article from the New York Times, but for laying out the Democratic initiative. I know from having spoken to colleagues on the other side of the aisle of their deep interest in solving this problem as well. I can express it no better than the woman on 60 Minutes, however, who said, I feel like

I am a refugee from my own health care system; I have to get on a bus and travel to Canada in order to get the prescription drug relief that I need, in order so that I am not forced between making the nightly decision between the food I am going to eat, the prescription drugs I am going to provide, and, in our area of the country, whether or not there will be the money there to heat our homes in the winter or cool them in the summertime. These are real, everyday concerns.

We wonder sometimes aloud in this body why more people do not vote, why do they not come out. It is because they hear the platitudes and never see the ensuing policy. The time for platitudes is over.

As one gentleman said to me the other day, I am grateful that people are finally recognizing the greatest generation ever; I am glad we have been heralded in books and on film and in oratory of every elected official, but what we would really like, what we really need is prescription drug relief. We do not need platitudes. We need prescription drug relief, and that is why this initiative is so important.

I happen to have signed on to the Allen bill, which I believe we need to have in conjunction with what we move forward to, irrespective of whatever policies pass here, but I can also say this, and I mean not to disparage anybody on the other side, anyone who at least puts forward a plan and thinks this is a step in the right direction toward dialogue, but in truth, hailing from the First Congressional District, the home of the managed care and health industry, they know that the proposals that have emanated from the other side, at least the ones that advocate having a private sector solution, are unworkable and untenable. Insurance is pretty straightforward when it comes to actuarial concerns, and trying to actuarially underwrite prescription drugs, as one executive told me, is like trying to underwrite haircuts. That is how difficult it would be, and that is what would make this almost impossible to price out.

So knowing that this cannot possibly work, knowing the tremendous concern that exists in this body and in the other body to have a remedy for seniors, knowing the great sense of community that we all felt after September 11, is this not the time for us to come together and help out a population that has already lived through one day of infamy on December 7, 1941, and have experienced yet another?

We asked people to sacrifice in this Nation, and they have stepped up and done so throughout their lifetimes. Now it is the time for us to pay it forward, to make sure that they have the prescription drug relief that they need to live out their final days in dignity, to be able to get the kind of relief that their doctors have told them they must have to sustain their lives.

For the life of me and the people that I represent, they are confounded by the

fact that a Congress and an executive branch that believes that this is necessary has yet to move and yet to act. The time is now, and as the gentlewoman from Texas said, we hope that we are able to move bipartisanly with a plan that works; but if not, then let us seize the day here and let us move the Democratic initiative forward, and let there be an up-or-down vote in this Chamber on where people stand on this issue so that senior citizens get to know where people stand on the issue and can distinguish between lip service and platitudes and those that are putting forth a policy that is workable. And collectively I think we owe that to the American public and clearly to those senior citizens.

I commend the gentleman once again for bringing this to the forefront.

Mr. PALLONE. Mr. Speaker, I want to thank my colleague from Connecticut, but he raised three points, if I can remember them now, that I would like to develop just a little bit because I thought they were very important.

First, with regard to the possibility of passing something, I really cannot emphasize enough, and I know that he obviously believes the same, that what we really need here is a bill that is going to pass. It is going to pass this House; it is going to pass the other body; it is going to be signed by the President. I really do not think that is going to be possible unless there is a basic understanding that this has to be a Medicare benefit, and I think that some of my colleagues on the other side of the aisle, maybe those who really would like to get something passed, have tried to frame this in terms of what is a more generous benefit.

Clearly, the Democratic benefit is much more generous. As our colleague from Texas pointed out, we are talking about a very low deductible, \$100, as opposed to \$250 for the Republican. We are talking about a lower premium. We are talking about an 80 percent benefit that starts from the first \$100 after the deductible and goes up to \$2,000 when it is 100 percent. The Republicans are talking about 80 percent for the first \$1,000, then 50 percent for the next \$1,000, and then I think it goes down to zero, sort of like a donut hole where a person gets no Federal money up to \$4,000.

What I have tried to say, if our colleagues on the Republican side were willing to sit down, we could probably work out the difference in terms of the benefit; the Democratic benefit clearly more generous, the Republican benefit clearly a lot more stingy. Maybe we could work out some compromise there in terms of the benefit, the amount that the Federal Government is going to provide.

The problem that I have is that is not what the Republican leadership is doing. They are acting as if they are providing this benefit, and they want to argue the dollars, but really they are not providing any benefit because they are not putting this under Medicare, and they are back to their same

drug-only policy of having this function through private insurance, which, as my colleague says, I know where he is from, in Hartford the insurance companies do not want to do.

Unless everyone comes to the table with the notion that they are going to provide a Medicare benefit, I think that the Republicans, and I will be cynical, are just blowing smoke and really do not want to pass anything. They just want to talk about it.

Mr. LARSON of Connecticut. Mr. Speaker, will the gentleman yield?

Mr. PALLONE. I yield to the gentleman from Connecticut.

Mr. LARSON of Connecticut. Mr. Speaker, it has been my observation that a proposal of that nature is something I have aptly named, in my opinion, the Marie Antoinette plan. We all know in history the story of Marie Antoinette, who, when approached about the plight of the French citizens saying they were starving because they had not bread, she replied, well, let them eat cake.

What this privatization proposal, the buying of a drug benefit, is, is seniors crying out that we need prescription drug relief and, in an insensitive manner, saying, they need prescription drug relief, let them buy insurance. It just simply is actuarially not capable of being written at a price that anyone could remotely pay for, and so, therefore, the skepticism with respect to this, I think, has been well chronicled.

But we are a better body than that. We need to rise above this and speak to the better angels that exist in this body and appeal, as I have heard Members from both sides come down with their concern to address this. We need the membership of both sides to have a debate on this and to pass a bill that seeks to provide relief for our senior citizens, and we need to do so because of the commitment and promises that have been made by virtually every Member in this Chamber.

Mr. PALLONE. Mr. Speaker, I know we are just beating a dead horse here, but there was a report that was done by Families USA that came out a few weeks ago, and basically it said private health plans cannot provide prescription drug coverage; that is just not going to happen. It kind of follows up on what the gentleman said, and if I could just mention, I just want to read a little bit from the summary.

It says, At the time H.R. 4680 was being considered, that is the bill we had last session that had the drug-only policies, it said, At the time H.R. 4680 was being considered, the insurance industry, acting through the Health Insurance Association of America, made clear that it had no intention, no intention, of offering drug-only policies. The health insurance industry reasoned that drug-only insurance policies would be subject to adverse risk selection; that is, they would disproportionately attract consumers who have existing health conditions, are sick or disabled, and are among the oldest of

the old. As a result the policies would be very expensive and would have very few takers among healthier Medicare beneficiaries. The failure to attract beneficiaries with low drug costs would further drive up premium prices and lead to an increasingly unaffordable price spiral.

Then they go on to talk about how we have the example with HMOs and that that is what is happening.

Mr. LARSON of Connecticut. Mr. Speaker, I think that is very charitable because I think it is next to impossible to underwrite for that kind of a circumstance, and while I think the industry has gone out of their way not to offend the powers that be, I think when we ask them directly, is this possible, could they possibly come up with a solution, the answer, frankly, is no. And so we ought to just get on with it and recognize that every day that we do not respond to the concerns, that is another senior at night that is sitting down and making that decision between food, between cooling their homes in the summer or heating them in the winters, and the prescription drugs that they have to buy.

I am sure it is true for my colleague in New Jersey, as it is for me in Connecticut. I have been going home now, I have only been a Member for 2 years, but over the last 3½ years in telling people that this is what we are fighting for down here, and they watch TV, probably the only generation that watches consistently C-SPAN, and they say, we hear the Members talking about it, but we see no action from our Congress, a Congress that can come together in an instant and bail out the airlines when there was a crisis at hand, a Congress that can respond when it needs to, and yet here are these valiant citizens have been reaching out, in many respects storming the United States Capitol, whether it be through e-mail, whether it be through their various organizations and associations, speaking out again, emphasizing that this is the number one issue that they face.

□ 2030

Everyone agrees that perhaps, and most notably, this should have been included under Medicare in 1965 in its inception, and we probably would not be here this evening talking about that; but it was not, so, therefore, the Democratic proposal is logical from the outset.

As my colleague heard me say earlier, I think we have to go deeper in terms of the kinds of cuts that we can get in the cost of the prices, which will make it even more affordable. And to those ends, I think we have to engage the pharmaceutical industry to help out that valued industry as well, and not at the expense of research and development, that they have invested in this and the great products they have turned out. This is a wonderful industry. But when you can travel to Canada or Mexico or anywhere in the Western

industrial society and get prescription drugs that are 40 percent less, on average, there is something wrong here.

It is up to us to sit down and have frank conversations that address that issue as well. We can do so under the sanity of a policy that is put forward under Medicare, where it should rightfully belong. And again I applaud the gentleman for bringing this forward.

Mr. PALLONE. If I could just ask the gentleman to comment a little bit on the price issue, because I think it is so important. We have not talked about it too much tonight; but the gentleman brings it up, and I think it is very important that he does so.

The problem we face, or one of the major problems, maybe the most important problem, is one of price, because seniors tell us they cannot afford them. They go to the pharmacy, and they cannot afford the prices. And for the last 6 years, prices of prescription drugs have gone up, in double digits every year. Much higher than inflation in general.

The one thing we have to understand, and again I understand the gentleman understands this, but my colleagues on the other side need to understand, and they, the Republicans, are determined, by at least everything we have seen, they are determined not to address the price issue. Now, we have not actually seen the Republican proposal. I am on the Committee on Energy and Commerce, and we will have opening statements tomorrow and we are going to have a markup on Wednesday; but we still have not seen the bill. But there have been statements made by Republican colleagues that say that they may actually put in the bill language that says that there can be no effort to control or deal with price in the bill.

Now, whether the bill finally has that language or not, I do not know; but you can be sure that it is not going to have any language that would effectively control price. It may only have language that says we cannot.

Mr. LARSON of Connecticut. Well, the great irony here, and again if the gentleman will yield, a gentleman who I have great respect for, the gentleman from Minnesota (Mr. GUTKNECHT), was down here on the floor earlier talking about this anomaly, I will say, where we are talking about free markets being able to set the price. And what has happened here in this country, the great shame that has taken place here in this country is that the profitability or the profits garnered in this industry have been done almost exclusively on the backs of the elderly and those who can least afford to pay it.

And why do we know this and why have we asserted that it is a free market approach? Because every survey, every study that has been done, whether it be internally in our own country, whether it be in Mexico, in Canada, whether it be in the United Kingdom, Australia, Japan, or Germany, what we found consistently is that their citizens are able to enjoy, on average, a 40

percent differential in terms of what they pay, not for generics but for the exact same prescription drugs. Shame on us.

And that is why I think people in this body, if we are allowed an opportunity to vote, and I cannot even believe as an American that I am standing here on the floor of Congress and saying if we are allowed the opportunity to vote. These are the people that we are sworn to serve, and yet bringing this issue that universally everybody agrees with to the floor has been the most agonizing, painstaking process. I hope that, as the gentleman has pointed out, the efforts are, in fact, real. If they are not, I hope the Members of this body, bipartisanly, join together to issue some form of discharge petition, like we did on campaign finance reform, and come together, both sides, to address the concerns of our seniors; put aside the special interests, whatever they may be, and come up with a plan that provides relief for these seniors.

Mr. PALLONE. Well, I am hoping, and I am trying not to be so cynical, but the gentleman does point out that there is a real possibility that the Republicans may not even allow us to bring up our proposal and have a vote on it. I hope that is not true. But the best thing, or one of the most important things about the Democratic proposal is that because we are putting this program under Medicare, now the Secretary who administers Medicare, the Health and Human Services Secretary, now will have these 30 or 40 million seniors that fall under Medicare. We have a mandate in the Democratic bill that he has to negotiate prices down, and he will have the power to do so because he has the 30 or 40 million seniors in Medicare that he now represents. I have no doubt that that will lead to a price reduction of maybe 30 percent because of his negotiating power.

The Republicans have nothing like that in there. The only thing President Bush has talked about is the drug discount cards, which are essentially a farce because they are already available. The cards are available. I am not saying the cards are a farce, but for him to suggest that somehow the Federal Government would lend its name to it is meaningless. The cards are out there. You can buy them any day. Most seniors are aware of them. They do provide some discount, but the Federal Government is not doing anything. I guess the only thing President Bush is saying is just promote the cards, go out and buy one, which I think is meaningless.

If we do not control price in some meaningful way, whatever plan we pass here will not work because seniors are not going to be able to afford it in the long run.

Mr. LARSON of Connecticut. Well, if the gentleman will continue to yield, he is absolutely correct. Again, I think the gentleman from Maine (Mr. ALLEN), who has been as dauntless as

the gentleman from Connecticut has been in coming down here and addressing this issue, if we do not do something about price, and as the gentleman points out with the ability to negotiate with the large number of Federal employees that we have, we are able to drive down the cost of prescription drugs, so by placing prescription drugs in a Medicare program, which is a Federal program, and as the gentleman points out with the large numbers of people, we are going to be able to negotiate a price that will be fair and competitive for everyone, but it will be, on average, far less. And then the combination of those two things, both being in the Medicare program and having the ability to negotiate down, will be extraordinarily helpful.

I think also, in the process, and I was on the floor earlier talking about the need for research and development in aeronautics, we also have to recognize the continued commitment on the part of this country to invest in research and development in these related fields. And I think that that is so essential to our future. We know how productive the field has been.

I hail from the State of Connecticut, home of a number of pharmaceutical companies and the insurance industry. New Jersey has been a long-standing State that has been influential in terms of some of the major breakthroughs that we have had in pharmacology. So we want to continue to promote that and work together along those lines, but we also want to make sure that we are not doing so at the expense of the elderly population in this country. And that, unfortunately, is what has happened; and we have to put an end to that.

I think we have a good plan to do that, and again I commend the gentleman for bringing it to the floor this evening.

Mr. PALLONE. I want to thank the gentleman for joining me tonight. I totally agree that the whole research component is something that we have to continue. Certainly my home State has been, for many years, a leader in research amongst pharmaceuticals. But what we are seeing is that so much of the price does not come from research, but rather from advertising. The majority of it really is, and we already provide a lot of money for research at the Federal level, and we also essentially underwrite a lot of the research in terms of the kinds of tax credits or tax breaks that we give to the pharmaceuticals. And I think it is important to make sure that we are helping with the research, but not providing the money that is going towards advertising and some of the other things that are unrelated to research.

Mr. LARSON of Connecticut. Mr. Speaker, I would add, and I speak for myself here, but looking at this problem long term, I certainly for one am more than willing to extend opportunities to pharmaceutical companies who

have invested their own money, who have done the research and development in bringing a product to market to allow them the opportunity to recoup the moneys on research and development, but as the gentleman from New Jersey (Mr. PALLONE) adroitly points out, not in the advertising field, not in the promotional areas, not through the gifts to docs and trying to influence people one way or another, but truly as a research and development component and for the risks that they have taken in terms of bringing these things to market.

Clearly, we do not live in a risk-averse society, but what we should be doing is rewarding risk once it has been able to come to the market and provide them with an opportunity and award them, so to speak, for the valiant research and development that they have done.

Mr. PALLONE. I thank the gentleman from Connecticut (Mr. LARSON).

Mr. Speaker, before we close tonight, I wanted to just basically go through the Democratic proposal in a little more detail. I know that our colleague, the gentlewoman from Texas (Ms. JACKSON-LEE), went into it somewhat; but I wanted to give a little more information about it.

The Democratic bill is called the Medicare Prescription Drug Benefit and Discount Act, and of course the most important thing is that it provides an affordable prescription drug and reliable benefit to all seniors; and as our colleague, the gentlewoman from Texas (Ms. JACKSON-LEE) said, seniors have waited long enough. But basically the purpose of the Democratic bill is four-fold. First, it lowers the cost of drugs for all seniors. It offers an affordable guaranteed Medicare drug benefit. It insures seniors coverage of the drug their doctor prescribes, and it does not force seniors into HMOs or private insurance.

In terms of the actual premium and benefit, no gaps, no gimmicks. The premium is \$25 a month. The deductible is \$100 a year. Co-insurance beneficiaries pay 20 percent; Medicare, meaning the Federal Government, pays 80 percent. Out-of-pocket limit is \$2,000 per beneficiary per year; and if one is below a certain income, then the premium is paid for. So it is very similar to part B, the way one now pays doctor bills, maybe even a little more generous than that.

To just give an example, to give some idea in terms of income for seniors, if a senior's income was up to \$13,290, there would be no premium or co-insurance. So just like in part B if one falls below that income, he is not paying the \$25 a month and is not paying the 20 percent. It is all being paid for by the Federal Government. So as the gentlewoman from Texas (Ms. JACKSON-LEE) said, there is not going to be anybody who is not going to be able to afford this because of their income. If a person's income is between \$13,290 and \$15,505, the premium assistance is on a sliding

scale; so he would not have to pay \$25 a month. He might pay 15 or 10 or 5, depending on what his income is.

But probably the most important thing is what my colleague from Connecticut (Mr. LARSON) and I have already discussed, and that is lowering the drug prices. And as my colleague from Connecticut pointed out, the question of affordability of drugs is not just an issue for seniors. It is an issue for everyone. We are addressing it here in the context of seniors, but a lot of things we talk about could be applied across the board. But in any case, the Democratic Medicare benefit lowers drug prices because it uses the collective bargaining power of Medicare's 40 million beneficiaries to guarantee lower drug prices. Medicare contractors compete for enrollees by negotiating discounts, and it reduces drug prices for everyone by stopping big drug company patent abuses.

I do not want to keep going through this, but I think that it is very important to understand that this is a Medicare benefit. This does not rely on private insurance companies. There is no privatization the way the Republicans have proposed.

We just want to give an example of what a senior would save. A senior with drug costs of, say, \$3,059 a year, which is the average senior drug spending that would be anticipated in the year when this proposal went into effect, some people might say, gee, \$3,059 is a lot; but that is the average, what we estimate will be spent when this plan goes into effect. So a senior with drug costs of \$3,059 per year would spend \$300 in premiums, that is the \$25 a month, \$100 deductible, and \$592 co-insurance, which is the 20 percent per prescription, for a total of \$992.

□ 2045

So for that \$3,059, they would be saving \$2,067, which is very comparable to what you do now with part B for your doctor bills.

Mr. LARSON of Connecticut. Mr. Speaker, the gentleman said earlier in the evening that while this is a benefit that will clearly benefit everyone with regard to prescription drugs, you said that this was like part D of the Medicare program. Could you explain that again, because I think this is the thing that most seniors understand. I know in the State of Connecticut, for example, we have a program for seniors as well. By this coming under a Federal program and the Federal Government offering this to its recipients, this is going to allow a State that is currently doing this to offer greater benefits to people and reach upward where I believe some of the people are harmed the most by prescription drugs and are in desperate need of relief.

Mr. PALLONE. Mr. Speaker, as the gentleman points out, and New Jersey is typical, some States have provided prescription drug programs depending on income; and in New Jersey, it is income-related, and we finance it

through casino revenue funds for people below a certain income. Those programs would continue in the State. The State would then get money to pay for those programs. I do not know how Connecticut works, but most States are not as generous as New Jersey. And this applies to any Medicare beneficiary.

In New Jersey it is a little over \$20,000 per year income that you are able to tap into the casino-funded prescription drugs program. But remember, this is not income-based, because Medicare is not income-based. So if you are making \$25,000 a year or \$30,000 or even \$100,000 a year, you would still be able to take advantage of this benefit by paying your \$25 a month premium, and you pay 20 percent, and the Federal Government pays 80 percent.

Frankly, I think that is important because most of the people that contact us are the people not getting what the States are offering. In other words, a lot of States have no benefit. Some States like New Jersey and Connecticut have some benefit, but most seniors in New Jersey are still not getting any kind of meaningful coverage through the State program because it is very expensive for the State. We are doing something now that will click in for every Medicare beneficiary.

We have part A, which is the hospital bills; part B is the doctor bills; part C is HMOs; and part D would be the new prescription drug program. It is like part B, you pay a low premium, and you get the benefit, and it starts and applies to everyone across the board.

Mr. LARSON of Connecticut. Mr. Speaker, I stand here very proud of the Democratic initiative and our efforts to bring this to the floor in a timely fashion and hopefully provide the relief that is so desperately needed by our seniors out there.

Mr. PALLONE. Mr. Speaker, I thank the gentleman for joining us.

I am going to be quoting this New York Times article over the next 2 weeks or so because I think that it provides independent backup, if you will, for what I have been saying about the Republican plan. Again, I am glad and I hope the Republicans will bring this up in the Committee on Energy and Commerce and the Committee on Ways and Means on Wednesday, and that they will bring it to the floor of the House the following week for a vote. Hopefully they will allow the Democrats to bring up our proposal as a substitute so we can have a good debate. If they do that, I will be very happy that at least we have an opportunity. But we have to stress that the Republican proposal is not a Medicare benefit. It is just giving some money to insurance companies, and that is not going to work because the policies are not going to be offered, and seniors are not going to have a benefit.

If I can go back to this New York Times article again, and I went through parts of it, but I would like to cover a little more of it. As I said, the

headline is "Experts Wary of GOP Drug Plan. Some Say 'Drug Only' Coverage Isn't Affordable for Insurers."

Mr. Speaker, this is an article by Robert Pear. It says, "A Republican plan to provide prescription drug benefits to the elderly through private insurers is drawing a skeptical reaction from many health policy experts. The plan, they say, would face problems like those that have plagued Medicare's attempt to encourage the use of health maintenance organizations."

Basically what the Republicans are doing with their proposal is doing the same thing they did with HMOs, throwing some money in the hope they will provide some coverage. They do not provide the coverage, and they have been cutting back and throwing seniors out of the plan.

The article in the New York Times goes on to say, "Private health plans were once seen as Medicare's best hope for controlling costs. In 1998, the Congressional Budget Office predicted that half of all beneficiaries would eventually be in such managed care organizations. But the market has been extremely unstable. Many HMOs have found Federal payments inadequate and pulled out of Medicare, dropping 2.2 million beneficiaries since 1998."

Mr. Speaker, I would ask the other side of the aisle, we know that the experience with HMOs in terms of providing prescription drug benefits has not worked. Why would they want to replicate that again by going to private insurers and expecting them to come up with a drug benefit? It is not going to happen.

The article in the New York Times goes on to say, "Many companies sell insurance to fill gaps in Medicare coverage, but premiums for such Medigap policies have increased rapidly in recent years, and only 3 of the 10 standard policies include drug benefits."

"Richard Barasch, chairman of Universal American Financial Corporation of Rye Brook, New York, which sells Medigap coverage to 400,000 people, said he seriously considered offering a separate insurance product just for drug costs. But after much research, he concluded it was not feasible because most of the buyers would be people with high drug expenses."

So if Members do not believe the HMO experience shows that private drug policies will not work, what about Medigap coverage? Medigap is supplement coverage you can buy to cover things that are not covered by Medicare. This article shows that the Medigap experience is not offering any meaningful drug coverage either through private insurers. The examples show HMOs are not providing the coverage. Medigap is not providing the coverage. Why do my Republican colleagues think that they will be providing coverage through private insurers?

At the end of the article it says, "HMOs have long boasted that they hold down costs, but their ability to do

so has been challenged by hospitals and doctors demanding higher payments. Companies managing Medicare benefits would face similar pressures from drugstores.

"The National Association of Chain Drugstores recently sent a bulletin to its members opposing the Republicans' Medicare drug proposal. Crystal S. Wright, vice president of the association, said, 'This could be an economic disaster for community pharmacies. Benefit managers are likely to get even more leverage than they currently have to reduce pharmacy reimbursement.'"

So the drugstores are saying, we are not going to be able to get adequate reimbursement, so we are going to go out of business. Where is it we expect this Republican plan to work?

The last thing the New York Times article says, "House Republicans said insurers could set different premiums and benefits, so long as the overall value of each drug plan was equivalent to that of the standard coverage suggested by the government. The Republican plan is part of a bill costing \$350 billion over 10 years."

Well, again, I do not understand what my Republican colleagues expect. Experience is that private insurance does not work to provide these kind of drug benefits. The insurance companies say they are not going to sell it. The pharmacies say it will not work. The only reason I can imagine that they are proposing it is they know this is a major issue that is going to face them in the election. They have promised the American public that they are going to provide a prescription drug plan, and so they come up with this sham which they hope to pass through the House, probably on a totally partisan vote, send to the other body, and never hear from it again, but they can say to the voters that they have tried. But they are not trying, they are just putting out something that is a sham. Hopefully as Democrats we will show the sham for what it is and to ask our colleagues to vote for the Democratic alternative which would provide a meaningful guaranteed benefit under Medicare for all seniors.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. KENNEDY of Minnesota).

Members are reminded to refrain from improper references to the Senate.

IMMIGRATION POLICY

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

Mr. TANCREDO. Mr. Speaker, I have often come to the floor of the House to discuss the issue of immigration and

immigration reform. I have also had that opportunity to do so in a variety of different settings over the last several years. I have watched with interest in the way that this debate has evolved, or some may say degenerated.

The fact is that it does seem to me that the debate over immigration reform is entering a new phase, and unfortunately I think not a productive one. Nonetheless, it is a phase in which the opponents of immigration reform have moved from a thoughtful, sometimes thoughtful, I should say, analysis of a major public policy issue to a darker, more sinister and far less intellectually based discussion.

I say that because of an article that was run in the Dallas newspaper, the Dallas Morning News, and I will get to it because it describes an event and some of the activities surrounding an event that I attended in Guanajuato, Mexico, a few weeks ago. The event was an annual meeting of American Congressmen and Mexican parliamentarians and legislators. It is an annual event, and I think this is the 21st or 22nd year of its existence. I was asked to attend this year, I am not sure exactly why, but nonetheless I was asked to attend. I did so, and found it to be a very stimulating and rewarding experience, stimulating because the debate on immigration and immigration reform is one that raises a lot of concerns and a lot of emotions; productive because at the end of the 2 days, 2.5 that we were there, I walked away with a feeling that at least my colleagues from the Congress of the United States and our colleagues in the Mexican Congress were much more understanding of the position that I hold vis-a-vis immigration and immigration reform, and that which is held by a relatively large majority of the people in this country.

I made it a point to explain that my observations with regard to immigration are not borne out of any hostility towards Mexico, any feelings of ill will, and certainly not any feeling about Mexican immigrants themselves. In fact, my feelings about immigration are not in any way, shape or form the result of opinions I have about anyone's ethnicity or nationality. They are irrelevant. I view everyone who comes into this country the same way I view my grandfather and great-grandparents who came to this country at the turn of the century. They are people for the most part seeking a better life. They come to the United States for promises of economic prosperity and political freedom.

□ 2100

These are, of course, laudable goals. And if I were in their position, I have no doubt I would be doing exactly the same thing. I would be looking for ways to come to the United States in order to better my life and the prospects of a good life for my children, grandchildren and future generations.

I blame no immigrant for the problems we have in the United States with

regard to immigration. They are two different things entirely. I am not anti-immigrant. I am certainly concerned about the effects of massive immigration into this country. And it really does not matter the country of origin from which the people coming here emanate. What matters to me most is the numbers. And the fact that massive immigration has an effect on many aspects of our society seems to me to make that particular subject worthy of civil debate.

I think it is hard to suggest that the growing numbers of Americans and/or people living in this country without benefit of citizenship, many of whom live here without benefit of legal status, it is hard to suggest that that growing number of people in this country does not represent some intriguing opportunities and/or problems. Economic problems certainly, in terms of the cost, the infrastructure that needs to be created to support the many millions coming into the United States, the schools, the hospitals, the social services.

The other economic issues deal with jobs. Some suggest that everyone coming to the United States is taking jobs that no one here will take. Others, and certainly I side with those who suggest that that needs far deeper review than what has been given it, and that there are many thousands, perhaps hundreds of thousands, even perhaps millions of Americans who are today looking for a job that someone else holds and that someone else may very well not even be a citizen of the United States, or even here legally for that matter.

Then, of course, there is the national security issue. It is undeniably true that the most recent terrorist activities that have plagued the United States have been perpetrated by people who have come into the country as visitors on visas. Some of them overstayed their visas. Some of them lied about what they were going to do here and could have been and should have been deported. Others, one in particular, actually violated the status of his visa by leaving the country, I believe that was Mohamed Atta, and could have been kept from returning to the United States, or he could have been deported once he came back after violating that visa status. Nonetheless, all were here and all did their deeds.

As we look at the future, there is a great possibility, even probability, that the United States will suffer other similar types of terrorist attacks. And there is a great possibility that these attacks will be perpetrated by people who come to this country from somewhere else, either by sneaking into the country or coming here on some sort of legal status but only for the purpose of doing us harm. And so our ability to control our own borders, limited as they may be because of the length of the borders, because of the fact that we have about 500 million visits a year into the United States, those complicating factors make it more difficult

for us to control our borders but do not in any way, I think, give us the right to ignore the borders as a place where we should be concentrating our efforts in terms of national security. We may not be able to stop everyone who is trying to come into the United States illegally. That is surely true. But it is just as true that we can do so much better than we are presently doing.

Tomorrow we will have a press conference at which we will discuss one aspect of border security that is available immediately to us, and it only needs the signature of the President of the United States to put into effect. But that is for tomorrow.

I wanted to lay out briefly my own position on the issue of immigration and immigration reform, because I will share with you, Mr. Speaker, and actually I am going to quote liberally from two different articles that I think are very important as we enter this next stage of this debate that I mentioned to you. It is apparent to me that the point of view that I represent here this evening with regard to immigration control is gaining in acceptability and gaining in political power because the opposition to it is becoming more frightened, more vitriolic, more bombastic. That is always an indication that we have struck a nerve and that something out there has forced the opponents of immigration reform into this new accusatory mode.

An example of what I am describing is an article, as I mentioned earlier, that appeared in the Dallas Morning News on June 16 which ostensibly is to describe this meeting that I have mentioned in Guanajuato, Mexico. It is also designed to focus on me in particular, my background; my, quote, supporters; the people that I, quote, represent; and paints a rather negative picture, I should say, of all of those things. It certainly presents me as someone who is more intent upon keeping Mexicans out of the United States than I am about general immigration reform.

Remember, the meeting we were having was in Mexico. The discussion we were having was pertinent to Mexican immigration into the United States. Mexican immigration into the United States does in fact represent the largest percentage of immigrants; and, therefore, of course, it is hard to talk about immigration reform without referencing periodically Mexico. But the tone of the article that says, "Colorado Politician on Guard at Mexican Border," that is the heading, would certainly lead one to believe, if you were to accept everything that is written here, that there is some great conspiracy or cabal in the works that I have aligned myself with, as they keep saying here, and I am quoting, unsavory supporters and unsavory characters.

The article said that all of the people in Mexico, all of the Republicans and all of the Democrats plus all the people who were on the other side, the Mexican legislators, were careful to dis-

tance themselves from my views which are widely seen as, quote, anti-Mexican.

It goes on to say, Mr. TANCREDO's message, quote, Mexican immigration is leading to the balkanization of America. It says, he supports a temporary guest worker program for Mexicans. Mr. TANCREDO opposes allowing more Mexicans into the United States on a permanent basis. He even blames Mexican immigration for California's energy crisis. I am called anti-Hispanic throughout this thing. Certainly anti-Mexican. That is quoted a couple of times.

Suffice it to say that I have been on the floor of the House many, many times, spent many, many hours in debate on this issue, or discussion or monologues on this issue as I am doing tonight. I would challenge anyone to review any of the hundreds, for all I know thousands, of pages of testimony that I have given either in front of committees or the transcript from the many hours I have spent on this floor doing exactly what I am doing now, or the literally thousands, maybe hundreds of thousands, of words that have been printed in the media about my position on issues, on this issue in particular, and I challenge anyone to go to anything I have ever said that would lead anybody to believe that I have only one concern about immigration and, that is, Mexico or Mexicans.

As I say, we spend a good deal of time talking about Mexican immigration. It represents the greatest number. But it is never ever, and I have never suggested that our efforts to try and curb immigration be solely directed at Mexico. I have stated here, on I do not know how many occasions, that it is not the ethnicity, it is not the nationality, it is not the country of origin, it is the numbers. It is how many come from a certain place, not necessarily where they come from. And I am just as concerned about the northern border as I am about the southern border. I believe there is, if not more insecurity at the northern border than there is at the southern border, it is certainly equally as disconcerting when we look at the situation that exists on both the northern and southern borders.

I am concerned about our ports of entry on both coasts. I am concerned about the ability of people to come into the United States via air traffic into any city in the United States, into any international airport in the United States, coming from countries all over the world who come here without giving us really a clear indication of who they are, come here without us knowing exactly what it is they are going to do here, come here and overstay their visas which for the most part I think accounts for a huge number of people who are here illegally.

They are not just people who cross the border from Mexico. There are people who came into the United States from a variety of different ways and a variety of different ports of entry,

most of them coming in with visa status, with a legitimate visa status, many of them with bogus visa status, but nonetheless coming that way and then simply overstaying their visa and staying here illegally. I do not know the percentage, but I would suggest to you it is a huge percentage of the nearly 13 million people who are here illegally.

But this article would suggest that everything I say and everything I do is designed to attack Mexico or Mexicans. Why would they say a thing like this? Well, we know why, Mr. Speaker. It is because, of course, if they can cast me in the light of a racist, someone who is anti-Mexican, anti-immigrant in general, then they can marginalize me and hence the things I say.

This article goes on at length to talk about the immigration reform caucus which I formed here, a Member of Congress, one of I do not know how many literally, probably hundreds of caucuses there are here in the Congress, and it is exactly like any other caucus. Members join it voluntarily. We have no outside support. They suggest that we get funding from these nefarious groups and that my campaigns are supported by, quote, what they say are unsavory characters. Quote, his critics say that money comes from unsavory supporters.

Mr. Speaker, "his critics say that money comes from unsavory supporters." Who are my critics? Who are their names? What are their names?

□ 2115

And who are these unsatisfactory supporters? They just use that phrase "unsatisfactory supporters."

Mr. Speaker, the last time I checked, we had something like 7,000 individual contributors who contributed less than \$50 to any of my campaigns, which, by the way, represents the greatest amount of money that I have ever collected in the two campaigns that I have waged to become a Congressman; \$50 or less from thousands of people across the country.

These are the "unsatisfactory characters" to whom they refer? What makes them unsatisfactory? Just because they gave to my campaign, in the eyes of my "critics"? Who are these critics?

Of course, nothing like this would ever hold up in a court of law. You have to name your critics, and you have to name these people who you call unsatisfactory. But in an article that is masquerading as an article and is really an editorial, an opinion by the two authors, Alfredo Corchado and Ricardo Sandoval, this is their editorial opinion they have worked masterfully, I must say, into this "article," an article that is supposed to be an objective analysis of a news event.

What is objective about "his critics say that his money comes from unsatisfactory supporters?" Anybody could state a thing like this, because you do not name anyone here. Who are my critics that say such a thing?

Then they go on to identify someone later, a Ms. Hernandez. She is, let me see here, the head of the Latin American Research Service Industry, a civil rights group in Denver. Now, I do not know who Ms. Hernandez is, and I have never heard of the Latin American Research Service Industry in my life; but they are quoted here, of course, as some sort of expert on things, and she says that my rhetoric is anti-Hispanic as well as just anti-immigrant.

Now, they finally did quote a critic of mine in this place; but, of course, they did not quote anyone who suggests that I am not anti-Hispanic or anti-immigrant, and there are many people, even, believe this or not, in the Hispanic community, people who write us all of the time, people who run organizations even in Denver, organizations that are devoted to helping immigrants in Colorado, who have met with me, who have indicated their support for my position, who recognize that there is nothing in me or what I say that can be taken by a thoughtful person as being anti-Hispanic, anti-Mexican, or even really anti-immigrant.

The article goes on to quote the Southern Poverty Law Center. The Southern Poverty Law Center did a "four-month investigation" which is going to be featured in something they call the intelligence project. I would question that descriptor there of "intelligence." It charged that many in the anti-immigrant network are "increasingly tied to openly white supremacist organizations and are steadily gaining power in Mr. TANCREDO's Immigration Reform Caucus."

Let me restate the nature of a caucus in the House of Representatives. It is made up of Members. Are they saying that Members of our caucus are tied to openly white supremacist organizations? I would like to know who those people are.

I have never actually even met anybody in this body who is tied to an openly white supremacist organization. To tell you the truth, I do not think I have ever met anybody in my life in that category. They are certainly out there, I have no doubt; I just do not know them. I have never come across them. I am lucky in that regard. I have never really had to discuss anything with people like that, at least to the best of my knowledge.

But they are suggesting in this phrase, look at the way that was printed, charged that "many in the anti-immigration network." What are these phrases? Many? Who are they? "Anti-immigration network, increasingly tied to openly white supremacist organizations."

What are these ties? What are these ties that connect us to some white supremacist organization, and how dare anybody say anything like that and do so in a way, again, that is designed rhetorically to poke at those very hot-button emotional issues in America?

A quote here from Martin Potok, the editor of this intelligence report. This

is talking about our caucus Web page. This is the main page of a large caucus, a group of Congressmen directly linked in the front page to hate groups. It goes on: "Tancredo has become an unofficial mouthpiece for some very unsatisfactory characters. His message is eerily similar to theirs."

This is an article. This is not an editorial. This is not some sort of novel in the stage of trying to get it printed or something. This is something that purports itself to be an objective analysis of the issue of immigration, immigration reform, and certainly our own caucus and who I am.

Well, it goes on like that at length, and it relies heavily on the information from this thing, this organization called the Southern Poverty Law Center.

I have noticed in the past that many people have relied on it, they will use this Southern Poverty Law Center headed by a gentleman by the name of Morris Dees, as some sort of credible organization, and that we should somehow pay attention to what this outfit says about who is a hate group and who is not. So, therefore, I looked back at some interesting research that was done into this particular group, organization, the Southern Poverty Law Center, and now I am going to quote heavily from an article that was written a little over a year and a half ago by a gentleman by the name of Ken Silverstein for Harper's Magazine. This was November of 2000, to be specific. It is called "How the Southern Poverty Law Center Profits From Intolerance." He spends a good deal of time focusing in on this Mr. Dees, Morris Dees, who is the head of this organization.

It says here, "Cofounded in 1971 by civil rights lawyer cum-direct marketing millionaire, Morris Dees, a leading critic of 'hate groups' and a man so beatific that he was the subject of a made-for-movie TV, the SPLC spent much of its early years defending prisoners who faced the death penalty and suing to desegregate all white institutions, like Alabama's Highway Patrol."

That was then, this is now. "Today, the SPLC spends most of its time and money on a relentless fund-raising campaign peddling memberships in the Church of Tolerance with all the zeal of a circuit court rider passing the collection plate. He is the Jim and Tammy Faye Bakker of the civil rights movement, renowned anti-death penalty lawyer Millard Farmer says of Dees, his former associate, though I do not mean to malign Jim and Tammy Faye."

The center earned \$44 million last year alone." Remember, this would be 1999, "\$27 million came from fund-raising and \$17 million from stock and other investments. But the organization only spent \$13 million on civil rights programs, making it one of the most profitable charities in the country."

Mr. Speaker, as an aside, we have been hearing lately about many organi-

zations, from the Red Cross to others, that have improperly, or perhaps at least alleged to have improperly, used the funds that people have given them, charitable organizations that spend way too much in overhead, paid salaries, paid too high salaries to their administrators and the like, and really do not do what they should in order to protect the people they are supposed to be on whose behalf they are supposed to be advocating.

But, interestingly, in the general media we have never heard much about this particular organization, the Southern Poverty Law Center; and I suggest to you it is because this organization's focus is primarily defending liberal causes, liberal positions, and to the extent that they are doing even what they say they are doing, or should be doing, they could still be quite a reputable organization. But this outfit is anything but reputable.

Mr. Dees, it goes on to talk about this gentleman, and since they spent so much time in these articles and the law center has evidently chosen to point fingers at me and my associates, I suppose it is only fair that we turn the mirror on them, which I am doing, with the help of this article by Mr. Silverstein.

"Mr. Dees, who made millions hawking by direct mail such humble commodities as birthday cakes, cookbooks, tractor seat cushions and rat poison in exchange for mailing lists containing 700,000 names, including Presidential candidate George McGovern, he is nothing if not a good salesman. So good that in fact in 1998," 2 years before this article came out, "the Direct Marketing Association inducted him into its Hall of Fame. He says 'I learned everything I know about hustling from the Baptist Church.'" This is Mr. Dees's quote.

"In fact Mr. Dees," it goes on to say here, "does not need anyone's financial support anymore. The Southern Poverty Law Center is already the wealthiest civil rights group in America, though the letter-writing campaign, the solicitations campaigns, naturally omit that fact. Other solicitations have been more flagrantly misleading. One pitch sent out in 1995, when the center had more than \$60 million in reserves, informed would-be donors that the 'strain on our current operating budget is the greatest in our 25 year history.'

"Now, back in 1978, when the center had less than \$10 million, Dees promised that his organization would quit fund raising and live off the interest as soon as its endowment hit \$55 million. But as it approached that figure, the Southern Poverty Law Center upped the bar to \$100 million, a sum that one 1989 newsletter promised would allow the center to 'cease the costly and often unreliable task of fund-raising.' Today the Southern Poverty Law Center's Treasury bulges with \$120 million," remember, that is 2 years ago, "and it spends twice as much on fund-raising, \$5.76 million last year, as it

does on legal services for victims of civil rights abuses.

"The American Institute of Philanthropy gives the center one of the worst ratings of any group it monitors, estimating that the SPLC could operate for 4.6 years without making another tax exempt nickel from its investments or raising another tax deductible cent from well-meaning people."

In 1986, this well-respected center, this place that this article refers to in some reverential tone, as if we are supposed to be concerned and listen carefully to the accusations made by this outfit, this center's entire legal staff quit in protest of Mr. Dees's refusal to address issues such as homelessness, voter registration, and affirmative action that they considered far more pertinent to poor minorities, yet far less marketable to affluent benefactors than fighting the KKK, which is like their main thing.

They keep sending out things about the KKK. The KKK is a bad outfit, I am sure of that; and this outfit, the SPLC, keeps resurrecting that ghost. It says here they had 4 million members in the 1920s to about 2,000 today, and as many as 10 percent of them are thought to be FBI informants. So I would not consider the KKK to be the kind of threat it was in 1920, but this outfit still uses them as their poster boy, sort of, to get money.

□ 2130

Because the KKK, everybody says, oh, my God, send this money, or the KKK will rise again. This outfit is a fraud.

The article ends up with this. This is again, quoting back here from the Church of Morris Dees, the article name. Until the early 1960s, Morris Dees sat on the sidelines honing his direct marketing skills and practicing law while the civil rights movement engulfed The South. "Morris and I shared the overriding purpose of making a pile of money," recalls Dees' business partner, a lawyer named Millard Fuller. "we were not particular about how we did it; we just wanted to be independently rich." They were so unparticular, in fact, that in 1961, they defended a man guilty of beating up a journalist covering the Freedom Riders whose legal fees were paid for by the Klan."

"In 1965, Fuller sold out to Dees. Fuller donated his money to charity and later started Habitat for Humanity," a well-respected, this is a personal observation, a well-respected organization as far as I know, and certainly one that deserves the support of all of us who are concerned about homelessness. Dees, with his share of the money, bought a 200-acre estate appointed with tennis courts, a pool, and stables, and then in 1971 founded the Southern Poverty Law Center where his compensation has risen in proportion to fund-raising revenues, from nothing in the early 1970s to \$273,000 last year, again, 1999.

"A National Journal survey of salaries paid to the top officers of advocacy groups shows that Dees earned more in 1998 than nearly all of the 78 listed, tens of thousands more than the heads of such groups as the ACLU, the NAACP Legal Defense and Educational Fund, and the Children's Defense Fund. The more money that the SPLC receives, the less that goes to other civil rights organizations, many of which, including the NAACP, have struggled to stay out of bankruptcy. Dees' compensation alone amounts to one-quarter the annual budget of the Atlanta-based Southern Center for Human Rights, which handles several dozen death penalty cases a year. 'You are a fraud and a con man,' the Southern Center's Director Stephen Bright wrote in a 1996 letter to Dees and proceeded to list his many reasons for thinking so, which included, 'Your failure to respond to the most desperate need of the poor and powerless, despite your millions upon millions. Your fund-raising techniques and the fact that you spend so much accomplishing so little and promote yourself so shamelessly.'"

Soon, the SPLC will move into a new six-story headquarters in downtown Montgomery, just across the street from its current headquarters, a building known locally as the Poverty Palace. That is the Southern Poverty Law Center. That is the organization to which we are supposed to pay attention when it comes to determining who in America is to be trusted and who is to be characterized in unsavory terms.

Mr. Dees uses a tactic that has been around for a long time. Perhaps the most familiar, perhaps the most famous individual in recent American history that perfected a tactic of guilt by association, of using that guilt by association to attack his enemies, of using innuendo, half truths, out-of-context quotes, all of the things that we know to be the tactics of unscrupulous individuals, perhaps we all know that Joe McCarthy, a Senator from Minnesota, was and has been characterized as the kind of poster boy for this kind of activity. He made a career out of destroying other people's careers. He was responsible for ending the careers and some say the lives, some people I understand even took their own lives because of the destruction he wrought upon them and their families. I do not know the degree to which Mr. McCarthy's accusations were accurate or not; I know that he is characterized as being a totally unscrupulous individual. But I suggest to my colleagues, Mr. Speaker, that Mr. Dees and this Southern Poverty Law Center together rival Mr. McCarthy in terms of the way they can manipulate, they have attempted to manipulate. And I should say the authors of the article that I mentioned earlier, Mr. Corchado and Mr. Sandoval, the way that they use phrases, the way that they use things like what "critics," unnamed critics say; the way they use heavily loaded,

emotionally loaded language to try and characterize in this case me and anybody else who believes, as I do, about immigration reform as people that do not deserve to be heard. It is McCarthyism. I am glad we have actually coined that term in America, because everybody now knows what one means when they say McCarthyism.

And it is in its most despicable form that we see here the reincarnation of it, in this article and in the work of this organization. Mr. Dees apparently, according to this article, uses it to line his own pocketbook. Others use it because they want to advance themselves politically and/or destroy the reputations of people with whom they disagree. Name-calling, calling people racist as they do in here, suggesting that that is the motivating factor, that is the last refuge of a scoundrel. And someone who has shrunk from the intellectual debate that should occur about this very serious topic, their hope is that we will cease and desist, that we will shrink from them, and shrink from this battle because of the fear that someone will think ill of us, and that someone will believe the scurrilous things that they print. Well, some may, in fact, do that, Mr. Speaker. I recognize that, and I am sorry about that.

I know what motivates me. I know what is in my heart. I know it has nothing to do with race. I know it has everything to do with what I consider to be an enormously complex and challenging public policy issue. I believe it deserves debate in this place that we call the open marketplace of ideas. But if these people had their way, we would be silent. If these people had their way, I would refrain from any references to immigration reform for fear that they will come after me, that they will write nasty things about me, that they will try to destroy my political career or even my own reputation.

Well, I assure my colleagues I will not stop this discussion, I will not stop participating in this discussion. And I challenge all of those who find this an uncomfortable situation and discussion to be in; and I agree with my colleagues, I wish, in fact, we could move on to other topics. I wish we could do that, but we cannot, because this issue is not solved, the problem is not solved. We have not as a country faced up to the problems of immigration on the scale that we presently see it. It will change America, maybe for the good, maybe for ill. But regardless of one's position on this, as I say, I believe it deserves the debate that this kind of a forum offers.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Mr. GEPHARDT) for today on account of personal reasons.

Ms. DELAURO (at the request of Mr. GEPHARDT) for today on account of personal business.

Ms. KILPATRICK (at the request of Mr. GEPHARDT) for today on account of business in the district.

Ms. MILLENDER-MCDONALD (at the request of Mr. GEPHARDT) for today on account of personal reasons.

Mr. PUTNAM (at the request of Mr. ARMEY) for today through June 19 on account of speaking on the Gulf War Syndrome before the British House of Lords.

Mrs. ROUKEMA (at the request of Mr. ARMEY) for today on account of illness.

Mrs. WILSON of New Mexico (at the request of Mr. ARMEY) for today on account of personal reasons.

Mr. SHAYS (at the request of Mr. ARMEY) for today through June 19 on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legis-

lative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. HOOLEY of Oregon) to revise and extend their remarks and include extraneous material:)

Mrs. THURMAN, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. LARSON of Connecticut, for 5 minutes, today.

Mrs. MILLENDER-MCDONALD, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

Ms. CARSON of Indiana, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. HOOLEY of Oregon, for 5 minutes, today.

Mr. SMITH of Washington, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. SHIMKUS) to revise and extend their remarks and include extraneous material:)

Mr. THUNE, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, June 18.

Mr. SOUDER, for 5 minutes, June 18, 19, and 20.

Mr. GUTKNECHT, for 5 minutes, today.

ADJOURNMENT

Mr. TANCREDO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until tomorrow, June 18, 2002, at 10:30 a.m., for morning hour debates.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for official foreign travel during the first quarter of 2002, by Committees of the House of Representatives, pursuant to Public Law 95-384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Travel to Korea, Jan. 3-6, 2002:											
Hon. Terry Everett	1/3	1/6	Korea		804.00						804.00
Commercial airfare							4,820.70				4,820.70
Travel to Germany, Bosnia, Yugoslavia, Uzbekistan, and Turkey, Jan. 4-9, 2002:											
Hon. John M. McHugh	1/4	1/5	Germany		212.00						212.00
	1/5	1/5	Bosnia								0.00
	1/5	1/7	Yugoslavia		162.00						162.00
	1/7	1/7	Uzbekistan								0.00
	1/7	1/8	Turkey		166.00						166.00
	1/8	1/9	Germany		212.00						212.00
Commercial airfare							4,963.52				4,963.52
Travel to Germany, Uzbekistan and Ireland, Jan. 10-19, 2002:											
Hon. Ellen O. Tauscher	1/10	1/12	Germany		582.00						582.00
	1/12	1/18	Uzbekistan		1,676.00						1,676.00
	1/18	1/19	Ireland		233.00						233.00
Travel to Russia, Jan. 13-16, 2002:											
Hon. Curt Weldon	1/13	1/16	Russia		1,050.00						1,050.00
Commercial airfare							5,148.22				5,148.22
Travel to Mexico, Jan. 13-17, 2002:											
Mr. Christian P. Zur	1/13	1/17	Mexico		1,223.00						1,223.00
Commercial airfare							1,166.85				1,166.85
Mr. George O. Withers	1/13	1/17	Mexico		1,223.00						1,223.00
Commercial airfare							1,166.85				1,166.85
Travel to Germany, Bosnia, Turkey, and Germany, Jan. 14-18, 2002:											
Hon. Gene Taylor	1/14	1/15	Germany		135.00						135.00
	1/15	1/16	Bosnia		254.00						254.00
	1/16	1/17	Turkey		138.00						138.00
	1/17	1/18	Germany		273.00						273.00
Commercial airfare							5,377.36				5,377.36
Mr. Dudley L. Tademy	1/14	1/15	Germany		135.00						135.00
	1/15	1/16	Bosnia		254.00						254.00
	1/16	1/17	Turkey		138.00						138.00
	1/17	1/18	Germany		273.00						273.00
Commercial airfare							4,963.86				4,963.86
Travel to Cuba, Jan. 25, 2002:											
Hon. Bob Riley	1/25	1/25	Cuba		10.00						10.00
Mr. Christian P. Zur	1/25	1/25	Cuba		10.00						10.00
Mr. George O. Withers	1/25	1/25	Cuba		10.00						10.00
Travel to Cuba, Feb. 8, 2002:											
Hon. Jim Turner	2/8	1/25	Cuba		24.90						24.90
Mr. William H. Natter	2/8	1/25	Cuba		24.90						24.90
Travel to Kazakhstan and Uzbekistan, Feb. 17-24, 2002:											
Ms. Erin C. Conaton	2/17	2/18	Kazakhstan		314.00						314.00
	2/18	2/24	Uzbekistan		2,336.00						2,336.00
Commercial airfare							9,445.62				9,445.62
Travel to the Netherlands, Belarus, Russia, and Germany, Feb. 15-23, 2002:											
Hon. Jim Saxton	2/15	2/16	Netherlands		198.00						198.00
	2/16	2/16	Belarus		0.00						
	2/16	2/21	Russia		1,720.00						1,720.00
	2/21	2/23	Germany		398.00						398.00
Mr. Thomas E. Hawley	2/21	2/23	Germany		398.00						398.00
Commercial airfare							2,470.20				2,470.20
Delegation expenses	2/15	2/16	Netherlands						1,821.58		1,821.58
	2/16	2/16	Belarus						1,626.07		1,626.07
	2/16	2/21	Russia						2,356.37		2,356.37

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002—
Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Travel to Venezuela and Colombia, Feb. 18–23, 2002:											
Hon. Gene Taylor	2/18	2/20	Venezuela		546.00				2,356.37		2,902.37
	2/20	2/23	Colombia		813.00				2,356.37		3,169.37
Mr. Henry J. Schweiter	2/18	2/20	Venezuela		546.00				2,356.37		2,902.37
	2/20	2/23	Colombia		813.00				2,356.37		3,169.37
Travel to Cuba, Mar. 15, 2002:											
Hon. Robert A. Underwood	3/15	3/15	Cuba			3.50					3.50
Hon. Thomas H. Allen	3/15	3/15	Cuba			3.50					3.50
Committee total					17,311.80		39,523.18		15,229.50		72,064.48

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BOB STUMP, Chairman, Apr. 30, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOUSE ADMINISTRATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Robert W. Ney	3/23	3/29	Japan		1,000.00		6,600.00				7,600.00
Paul Vinovich	3/23	3/29	Japan		1,000.00		6,600.00				7,600.00
William Heaton	3/23	3/29	Japan		1,000.00		6,600.00				7,600.00
Channing Nuss	3/23	3/29	Japan		1,000.00		6,600.00				7,600.00
Jeff Janas	3/23	3/29	Japan		1,000.00		6,600.00				7,600.00
Frederick Hay	3/23	3/29	Japan		1,000.00		6,600.00				7,600.00
Reynold Schweickhardt	3/23	3/29	Japan		1,000.00		6,600.00				7,600.00
Sterling Spriggs	3/23	3/29	Japan		1,000.00		6,600.00				7,600.00
Walter Oleszek	3/23	3/29	Japan		1,000.00		6,600.00				7,600.00
Committee total											

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BOB NEY, Chairman, Apr. 30, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Deborah Pryce	3/22	3/23	Belgium		257.00						257.00
	3/23	3/26	England		1,032.00						1,032.00
	3/26	3/29	Germany		1,136.00						1,136.00
Todd E. Gillenwater	3/22	3/29					(3)				
	3/22	3/29	Japan				6,167.00				6,167.00
	3/23	3/28	Japan		958.26						958.26
Committee total					3,383.26		6,167.00				9,550.26

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
³ Military air transportation.

DAVID DREIER, Chairman, May 3, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

FOR HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DOUG THOMAS, Apr. 26, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Jerry Weller	1/9	1/10	Nicaragua		201.00		(3)				
	1/10	1/13	Colombia		331.50		(3)				
	1/13	1/16	Paraguay		678.00		(3)				
	1/16	1/18	Ecuador		94.00		(3)				
Hon. Earl Pomeroy	1/10	1/11	Uzbekistan		283.00		(3)				
	1/11	1/12	Dushambe/Tijiskatan		172.00		(3)				
	1/12	1/14	Pakistan		212.00		(3)				
	1/14	1/15	Bagram/Afghanistan		101.00		(3)				
	1/15	1/16	Quetta		0.00		(3)				
	1/15	1/17	USS Trass		0.00		(3)				
	1/17	1/18	Rome		320.00		(3)				
	1/18	1/19	USA				(3)				

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Jim Ramstad	1/25	1/25	Cuba								
Hon. Sander Levin	2/18	3/22	Monterrey, Mexico								
Angela Ellard	2/20	2/22	Guatemala		380.00		2,067.00				
	2/22	2/23	Honduras		233.00						
Meredith Broadbendt	2/20	2/22	Guatemala		380.00		2,067.00				
	2/22	2/23	Honduras		233.00						
Robert Winters	2/20	2/22	Guatemala		380.00		2,067.00				
	2/22	2/23	Honduras		233.00						
Viji Rangawami	2/20	2/22	Guatemala		380.00		2,067.00				
	2/22	2/23	Honduras		233.00						
Committee total											

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
³ Military air transportation.

BILL THOMAS, Chairman, May 10, 2002.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7394. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Avocados Grown in South Florida; Increased Assessment Rate [Docket No. FV02-915-2 FR] received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7395. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Dried Prunes Produced in California; Undersized Regulation for the 2002-03 Crop Year [Docket No. FV02-993-1 FR] received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7396. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Pink Bollworm Regulated Areas; Removal of Oklahoma [Docket No. 02-031-1] received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7397. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery [Docket No. 020409080-2080-01; I.D. 032602A] (RIN: 0648-AP78) received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7398. A letter from the Director, Office of Management and Budget, transmitting cumulative report on rescissions and deferrals, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 107-226); to the Committee on Appropriations and ordered to be printed.

7399. A letter from the Deputy Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John M. Pickler, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

7400. A letter from the Deputy Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Michael W. Ackerman, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

7401. A letter from the General Counsel, Federal Emergency Management Agency,

transmitting the Agency's final rule—Final Flood Elevation Determinations—received May 20, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7402. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—National Flood Insurance Program (NFIP); Inspection of Insured Structures by Communities (RIN: 3067-AD16) received May 20, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7403. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received May 20, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7404. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-D-7521] received May 20, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7405. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to India [Transmittal No. DTC 39-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

7406. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to India [Transmittal No. DTC 43-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

7407. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to India [Transmittal No. DTC 44-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

7408. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to India [Transmittal No. DTC 49-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

7409. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a

contract to India [Transmittal No. DTC 06-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

7410. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled "Sufficiency Review of the Water and Sewer Authority's Fiscal Year 2002 Revenue Estimate in Support of \$100,000,000 in Commercial Paper Notes," pursuant to D.C. Code section 47-117(d); to the Committee on Government Reform.

7411. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific; Western Pacific Pelagic Fisheries; Hawaii-based Pelagic Longline Restrictions [Docket No. 010511123-2076-02; I.D. 031102C] (RIN: 0648-AP84) received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7412. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic Herring Fishery; Total Allowable Catch Harvested for Period 1 in Management Area 1A [Docket No. 011005245-2012-02; I.D. 041802A] received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7413. A letter from the Acting Assistant Attorney General for Administration, Department of Justice, transmitting the seventh annual report on amounts paid to telecommunications carriers and manufacturers during FY 2001, and estimates of amounts expected to be paid in the current fiscal year, pursuant to Public Law 103-414; to the Committee on the Judiciary.

7414. A letter from the Administrator, FAA, Department of Transportation, transmitting a report on the foreign aviation authorities to which the Federal Aviation Administration provided services in the preceding fiscal year, pursuant to Public Law 103-305, section 202 (108 Stat. 1582); to the Committee on Transportation and Infrastructure.

7415. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Braking Systems Airworthiness Standards to Harmonize with European Airworthiness Standards for Transport Category Airplanes [Docket No. FAA-1999-6063; Amendment No. 25-107] (RIN: 2120-AG80) received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7416. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30306; Amdt. No. 3003] received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7417. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30307; Amdt. No. 3004] received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7418. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30304; Amdt. No. 3001] received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7419. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 30308; Amdt. No. 435] received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7420. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Relief for Participants in Operation Enduring Freedom [Docket No. FAA-2002-12199; Special Federal Aviation Regulation No. 96] (RIN: 2120-AH58) received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7421. A letter from the FMCSA Regulatory Officer, Department of Transportation, transmitting the Department's final rule—New Entrant Safety Assurance Process [Docket No. FMCSA-2001-11061] (RIN: 2126-AA59) received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7422. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney JT9D Series Turbofan Engines [Docket No. 98-ANE-47-AD; Amendment 39-12719; AD 2002-08-11] (RIN: 2120-AA64) received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7423. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 2000-NM-338-AD; Amendment 39-12677; AD 2002-06-01] (RIN: 2120-AA64) received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7424. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767 Series Airplanes [Docket No. 2001-NM-209-AD; Amendment 39-12723; AD 2002-08-15] (RIN: 2120-AA64) received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7425. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2 and B4 Series Airplanes Equipped With General Electric CF6-50 Engines [Docket No. 2002-NM-107-AD; Amendment 39-12728; AD 2002-08-51] (RIN: 2120-AA64) received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7426. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; PIAGGIO AERO INDUSTRIES S.p.A. Model P-180 Airplanes [Docket No. 2002-CE-02-AD; Amendment 39-12712; AD 2002-08-04] (RIN: 2120-AA64) received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7427. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2 and B4; A300 B4-600, B4-600R, and F4-600R (Collectively Called A300-600); and A310 Series Airplanes [Docket No. 2001-NM-393-AD; Amendment 39-12722; AD 2002-08-14] (RIN: 2120-AA64) received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7428. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Lake Champlain Challenge, Cumberland Bay, NY [CGD01-02-033] (RIN: 2115-AA97) received May 23, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7429. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zones; Port of St. Petersburg, St. Petersburg Florida [COTP TAMPA-02-022] (RIN: 2115-AA97) received May 23, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7430. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Sandy Hook Bay, Highlands, NJ [CGD01-02-059] (RIN: 2115-AA97) received May 23, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7431. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Portland Rose Festival on Willamette River [CGD13-02-022] (RIN: 2115-AA97) received May 23, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7432. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 and -145 Series Airplanes [Docket No. 2002-NM-111-AD; Amendment 39-12733; AD 2002-08-21] (RIN: 2120-AA64) received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7433. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 2001-NM-371-AD; Amendment 39-12721; AD 2002-08-13] (RIN: 2120-AA64) received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7434. A communication from the President of the United States, transmitting notification of the designations of Deanna Tanner Okun as Chairman and Jennifer Anne Hillman as Vice Chairman of the United States International Trade Commission, effective June 17, 2002, pursuant to 19 U.S.C. 1330(c)(1); to the Committee on Ways and Means.

7435. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting

the Service's final rule—Tax Avoidance Using Inflated Basis (Notice 2002-21) received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7436. A letter from the Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's report in response to section 105 of the Medicare, Medicaid and SCHIP Balanced Budget Refinement Act of 1999, regarding the prospective payment system (PPS) for Medicare skilled nursing facilities (SNFs); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 3397. A bill to authorize the Secretary of the Interior to acquire the property known as Pemberton's Headquarters and to modify the boundary of Vicksburg National Military Park to include that property, and for other purposes (Rept. 107-508). Referred to the Committee on the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 3858. A bill to modify the boundaries of the New River Gorge National River, West Virginia (Rept. 107-509). Referred to the Committee on the Whole House on the State of the Union.

Mrs. MYRICK: Committee on Rules. House Resolution 444. Resolution providing for consideration of the Senate amendments to the bill (H.R. 327) to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses (Rept. 107-510). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. GILCHREST:

H.R. 4945. A bill to amend the Public Health Service Act to establish a program for promoting good health, disease prevention, and wellness and for the prevention of secondary conditions for persons with disabilities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HAYWORTH (for himself, Mr. WELLER, Mr. RAMSTAD, Mr. WATKINS, Mr. ENGLISH, and Mr. LEWIS of Kentucky):

H.R. 4946. A bill to amend the Internal Revenue Code to provide health care incentives related to long-term care; to the Committee on Ways and Means.

By Ms. SOLIS (for herself, Mr. THOMPSON of California, Mr. GEORGE MILLER of California, Ms. WOOLSEY, Mr. HONDA, Mrs. NAPOLITANO, Mr. HINCHEY, Mrs. CAPPS, Ms. PELOSI, Ms. MCKINNEY, Mr. MCDERMOTT, Ms. ESHOO, Mr. FILNER, Mr. WAXMAN, and Mr. SHERMAN):

H.R. 4947. A bill to designate certain public lands as wilderness and certain rivers as wild and scenic rivers in the State of California, to establish the Ancient Bristlecone Pine Forest, and for other purposes; to the Committee on Resources.

By Mr. THOMPSON of California (for himself, Ms. SOLIS, Mr. GEORGE MILLER of California, Ms. WOOLSEY, Mr. HONDA, Mrs. NAPOLITANO, Mr. HINCHEY, Mrs. CAPPS, Ms. PELOSI, Ms. MCKINNEY, Mr. MCDERMOTT, Ms. ESHOO, Mr. FILNER, Mr. WAXMAN, and Mr. SHERMAN):

H.R. 4948. A bill to designate certain public lands as wilderness and certain rivers as wild and scenic rivers in the northern portion of the State of California, to designate salmon restoration areas, and to establish the Sacramento River National Conservation Area, and for other purposes; to the Committee on Resources.

By Mr. THOMPSON of California (for himself, Ms. SOLIS, Mr. GEORGE MILLER of California, Ms. WOOLSEY, Mr. HONDA, Mrs. NAPOLITANO, Mr. HINCHEY, Mrs. CAPPS, Ms. PELOSI, Ms. MCKINNEY, Mr. MCDERMOTT, Ms. ESHOO, Mr. FILNER, Mr. WAXMAN, and Mr. SHERMAN):

H.R. 4949. A bill to designate certain public lands in Humboldt, Del Norte, Mendocino, Lake, and Napa Counties in the State of California as wilderness, to designate certain segments of the Black Butte River in Mendocino County, California as a wild or scenic river, and for other purposes; to the Committee on Resources.

By Mr. CAMP (for himself and Mr. KENNEDY of Minnesota):

H.R. 4950. A bill to amend the Internal Revenue Code of 1986 to clarify that church employees are eligible for the exclusion for qualified tuition reduction programs of charitable educational organizations; to the Committee on Ways and Means.

By Mr. NADLER:

H.R. 4951. A bill to provide for the purchase of textbooks and the establishment of the Textbook Recycling Program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. PETERSON of Pennsylvania (for himself, Mr. HANSEN, and Mr. CANNON):

H.R. 4952. A bill to provide for the conveyance of the land containing the Mount Wilson Observatory in the Angeles National Forest, California, to the Mount Wilson Institute, the nonprofit organization operating the observatory; to the Committee on Resources.

By Mr. WALDEN of Oregon:

H.R. 4953. A bill to direct the Secretary of the Interior to grant to Deschutes and Crook Counties in the State of Oregon a right-of-way to West Butte Road; to the Committee on Resources.

By Mr. SANDERS (for himself, Mr. GOODE, Mr. PETERSON of Minnesota, Mr. KUCINICH, Ms. LEE, Mr. HILLIARD, and Mr. DEFAZIO):

H.J. Res. 98. A joint resolution providing for a 3-year moratorium on postage rate increases for nonprofit organizations and certain other mailers; to the Committee on Government Reform.

By Mr. WATTS of Oklahoma:

H. Res. 445. A resolution expressing the sense of the House of Representatives with regard to the United States National Soccer Team and its historic performance in the 2002 FIFA World Cup tournament; to the Committee on Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

292. The SPEAKER presented a memorial of the House of Representatives of the State of Indiana, relative to House Resolution No. 1 memorializing the United States Congress

that the Indiana House of Representatives is urged to proclaim September 11 as "911 Heroes Day," a day of recognition to express the gratitude of the citizens of Indiana for all the sacrifices made by public safety personnel in the performance of their duties; to the Committee on Government Reform.

293. Also, a memorial of the Legislature of the State of Wyoming, relative to Enrolled Joint Resolution No. 3 memorializing the United States Congress to direct all federal authorities responsible for wolf reintroduction in the state of Wyoming to manage wolves so that the elk, moose and deer population, moose and deer habitats and elk feed grounds are preserved and to reimburse the state for the loss of elk, moose and deer to wolves; to the Committee on Resources.

294. Also, a memorial of the Legislature of the State of Wyoming, relative to Enrolled Joint Resolution No. 2 memorializing the United States Congress to propose and submit to the several states for ratification an amendment to the Constitution of the United States on the subject of judicial taxation; to the Committee on the Judiciary.

295. Also, a memorial of the Legislature of the State of North Dakota, relative to Senate Concurrent Resolution No. 4028 memorializing the United States Congress that the Legislative Assembly rescinds all applications to call a convention pursuant to the terms of Article V of the United States Constitution for proposing amendments to that Constitution and urging the legislative bodies in other states to take similar action; to the Committee on the Judiciary.

296. Also, a memorial of the Legislature of the State of Hawaii, relative to House Concurrent Resolution No. 12 memorializing the United States Congress that the Legislature supports the TANF Reauthorization Act of 2001; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 134: Mr. LARSON of Connecticut.
 H.R. 218: Mr. SHAW.
 H.R. 382: Mr. CARSON of Oklahoma.
 H.R. 595: Ms. WOOLSEY.
 H.R. 599: Mr. CARSON of Oklahoma and Ms. NORTON.
 H.R. 602: Mr. MICA.
 H.R. 699: Mr. LOBIONDO.
 H.R. 858: Mr. ISAKSON, Ms. WOOLSEY, Ms. MCCARTHY of Missouri, Mr. SHERMAN, Ms. SANCHEZ, Mr. GONZALEZ, and Mr. LARSEN of Washington.
 H.R. 951: Mr. HILLEARY.
 H.R. 984: Mr. POMBO and Mr. DOOLEY of California.
 H.R. 1201: Mr. BLAGOJEVICH, Ms. BROWN of Florida, Ms. MCKINNEY, Mr. NEAL of Massachusetts, Ms. MCCARTHY of Missouri, Mr. UNDERWOOD, Mr. MCDERMOTT, Ms. NORTON, and Mr. LAMPSON.
 H.R. 1434: Mr. CRANE and Mr. GONZALEZ.
 H.R. 1452: Mr. HONDA and Ms. WATSON.
 H.R. 1520: Mr. WILSON of South Carolina, Mr. BEREUTER, and Mr. BOUCHER.
 H.R. 1541: Ms. SLAUGHTER.
 H.R. 1556: Mr. WOLF, Mr. BASS, and Mr. MCKEON.
 H.R. 1784: Mr. WHITFIELD, Mr. STRICKLAND, Mr. TOWNS, Mr. WALDEN of Oregon, and Mr. BROWN of Ohio.
 H.R. 1786: Mr. PICKERING.
 H.R. 1911: Mr. MCHUGH.
 H.R. 1919: Mr. HAYES, Mr. KNOLLENBERG, Mr. KERNS, Mrs. ROUKEMA, Mr. COSTELLO, and Mr. GIBBONS.
 H.R. 1972: Mr. COLLINS, Mr. CHAMBLISS, Mr. BRADY of Texas, and Mr. HOSTETTLER.

H.R. 2035: Mr. CARSON of Oklahoma and Mrs. MCCARTHY of New York.
 H.R. 2073: Mr. MCHUGH and Mr. NORWOOD.
 H.R. 2219: Mr. OSBORNE and Mr. BLUMENAUER.

H.R. 2349: Mr. KLECZKA and Mr. GORDON.
 H.R. 2662: Mr. MCGOVERN.
 H.R. 3034: Mr. ANDREWS, Mr. LOBIONDO, Mr. SAXTON, Mr. SMITH of New Jersey, Mrs. ROUKEMA, Mr. PALLONE, Mr. FERGUSON, Mr. PASCRELL, Mr. ROTHMAN, Mr. PAYNE, Mr. FRELINGHUYSEN, and Mr. HOLT.
 H.R. 3250: Mr. THOMPSON of California.
 H.R. 3278: Mr. GONZALEZ, Mr. FATTAH, and Mr. THOMPSON of California.
 H.R. 3424: Ms. DELAURO.
 H.R. 3496: Mr. SWEENEY and Mr. WEINER.
 H.R. 3705: Mr. BARR of Georgia.
 H.R. 3710: Mr. HALL of Texas and Mr. DUNCAN.

H.R. 3781: Mr. BOUCHER, Mr. LARSEN of Washington, and Mr. GREENWOOD.
 H.R. 3831: Ms. WOOLSEY, Mr. CUMMINGS, Mr. LATHAM, and Mr. UPTON.
 H.R. 3880: Mr. BOEHLERT.
 H.R. 3887: Mr. BAIRD.
 H.R. 3957: Mr. OSE.

H.R. 3974: Mr. PRICE of North Carolina.
 H.R. 3995: Mr. DOOLEY of California, Mr. BALDACCI, Mr. PAYNE, Mr. SPRATT, Mrs. CAPITO, and Mr. GREENWOOD.
 H.R. 4010: Mr. TANCREDI and Mr. NORWOOD.
 H.R. 4014: Mr. DEUTSCH.
 H.R. 4018: Mr. STUPAK.
 H.R. 4113: Mr. STARK, Mr. DINGELL, Mr. DOOLEY of California, Mr. ABERCROMBIE, Ms. MILLENDER-MCDONALD, Mr. PASCRELL, Mr. KILPATRICK, Mrs. MINK of Hawaii, Mr. FARR of California, Mr. BOUCHER, Mrs. MALONEY of New York, Ms. BROWN of Florida, Mr. BALDACCI, and Mrs. TAUSCHER.

H.R. 4488: Mr. ENGLISH.
 H.R. 4502: Mr. PICKERING.
 H.R. 4504: Ms. WATSON.
 H.R. 4616: Mrs. JONES of Ohio, Mr. MCDERMOTT, and Mr. OBERSTAR.
 H.R. 4636: Mr. ISAKSON, Mr. DAN MILLER of Florida, and Mr. SOUDER.
 H.R. 4643: Ms. DEGETTE, Mrs. JONES of Ohio, and Mr. HINCHEY.

H.R. 4676: Mr. LOBIONDO.
 H.R. 4699: Mr. GILLMOR.
 H.R. 4711: Ms. WOOLSEY.
 H.R. 4720: Mrs. MINK of Hawaii.
 H.R. 4728: Mrs. JO ANN DAVIS of Virginia, Mr. SYNDER, and Mrs. CAPPS.
 H.R. 4738: Mr. SHIMKUS.
 H.R. 4777: Mr. BOSWELL, Mr. MALONEY of Connecticut, and Mr. ROHRBACHER.
 H.R. 4778: Mr. DEFAZIO and Mr. WAXMAN.
 H.R. 4840: Mr. THOMAS.
 H.R. 4852: Mr. DEUTSCH.
 H. J. Res. 97: Mr. MCDERMOTT, Mr. DEFAZIO, and Mr. DELAHUNT.
 H. Con. Res. 38: Mr. BOEHLERT and Mrs. KELLY.

H. Con. Res. 162: Mr. OLVER.
 H. Con. Res. 260: Mr. OBERSTAR.
 H. Con. Res. 269: Ms. PRYCE of Ohio.
 H. Con. Res. 345: Ms. PRYCE of Ohio.
 H. Con. Res. 352: Mr. GALLEGLY.
 H. Con. Res. 364: Mr. KNOLLENBERG, Mrs. THURMAN, Mr. ROHRBACHER, Mr. DINGELL, Mr. ENGLISH, Mrs. BONO, Ms. ROS-LEHTINEN, Mr. GALLEGLY, and Mr. SKEEN.
 H. Con. Res. 382: Mr. KENNEDY of Rhode Island, Mr. ISRAEL, Mrs. MCCARTHY of New York, Mr. SERRANO, Mr. BARRETT, and Mr. BECERRA.
 H. Con. Res. 404: Mr. BERMAN and Mr. SCHIFF.

H. Con. Res. 407: Mr. TIBERI.
 H. Con. Res. 408: Mr. OBERSTAR, Mr. CUNNINGHAM, Mr. DAVIS of Illinois, Mrs. CAPPS, Mr. CLAY, and Mr. WU.
 H. Con. Res. 412: Mr. KERNS, Mr. HANSEN, and Mr. HALL of Ohio.
 H. Con. Res. 417: Mr. ACKERMAN, Mr. LEVIN, Mr. MCGOVERN, and Mr. FROST.

H. Con. Res. 420: Mr. HANSEN and Mr. STUMP.

H. Res. 416: Mr. BRADY of Texas.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3686: Mr. DAVIS of Illinois.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

59. The SPEAKER presented a petition of the St. Louis County Board, Minnesota, relative to Resolution No. 150 petitioning the United States Congress that the St. Louis County Board of Commissioners hereby urges the Pension Benefit Guaranty Corporation to delay termination of the LTV Steel Mining Pension Plan until March 31, 2003, in order to enable the employees of LTV Steel Mining Company and the State of Minnesota to study possible alternatives to a Pension Benefit Guaranty Corporation distressed termination; to the Committee on Education and the Workforce.

60. Also, a petition of the County of Chambers, Texas, relative to a Resolution petitioning the United States Congress to amend the Internal Revenue Code of 1986 to allow for the issuance of tax-exempt facility bonds for the purpose of financing air pollution facilities in nonattainment areas and to provide that such tax-exempt facility bonds issued during the years of 2003, 2004, 2005, 2006 or 2007 for the construction of such air pollution control facilities not be subject to the volume cap requirements; to the Committee on Ways and Means.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3389

OFFERED BY: MR. GILCREST

AMENDMENT NO. 1: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Sea Grant College Program Act Amendments of 2002".

SEC. 2. AMENDMENTS TO FINDINGS.

Section 202(a)(6) of the National Sea Grant College Program Act (33 U.S.C. 1121(a)(6)) is amended by striking the period at the end and inserting ", including strong collaborations between Administration scientists and scientists at academic institutions."

SEC. 3. REQUIREMENTS APPLICABLE TO NATIONAL SEA GRANT COLLEGE PROGRAM.

(a) QUADRENNIAL STRATEGIC PLAN.—Section 204 (c)(1) of the National Sea Grant College Program Act (33 U.S.C. 1123 (c)(1)) is amended to read as follows:

"(1) The Secretary, in consultation with the panel, sea grant colleges, and sea grant institutes, shall develop at least every 4 years a strategic plan that establishes priorities for the national sea grant college program, provides an appropriately balanced response to local, regional, and national needs,

and is reflective of integration with the relevant portions of the strategic plans of the Department of Commerce and of the Administration."

(b) RANKING OF PROGRAMS.—Section 204(d)(3)(A) of the National Sea Grant College Program Act (33 U.S.C. 1123(d)(3)(A)) is amended by inserting "and competitively rank" after "evaluate".

(c) FUNCTIONS OF DIRECTOR.—Section 204(d)(3)(B) of the National Sea Grant College Program Act (33 U.S.C. 1123(d)(3)(B)) is amended by striking "and" after the semicolon at the end of clause (ii) and by adding at the end the following:

"(iv) encourage and promote coordination and cooperation between the research, education, and outreach programs of the Administration and those of academic institutions; and"

SEC. 4. COST SHARE.

Section 205(a) of the National Sea Grant College Program Act (33 U.S.C. 1124(a)) is amended by striking "section 204(d)(6)" and inserting "section 204(c)(4)(F)".

SEC. 5. FELLOWSHIPS.

(a) ACCESS.—Section 208(a) of the National Sea Grant College Program Act (33 U.S.C. 1127(a)) is amended by adding at the end the following: "The Secretary shall strive to ensure equal access for minority and economically disadvantaged students to the program carried out under this subsection."

(b) POSTDOCTORAL FELLOWS.—Section 208(c) of the National Sea Grant College Program Act (33 U.S.C. 1127(c)) is repealed.

SEC. 6. TERMS OF MEMBERSHIP FOR SEA GRANT REVIEW PANEL.

Section 209(c)(2) of the National Sea Grant College Program Act (33 U.S.C. 1128(c)(2)) is amended by striking the first sentence and inserting the following: "The term of office of a voting member of the panel shall be 3 years for a member appointed before the date of enactment of the National Sea Grant College Program Act Amendments of 2002, and 4 years for a member appointed or reappointed after the date of enactment of the National Sea Grant College Program Act Amendments of 2002. The Director may extend the term of office of a voting member of the panel appointed before the date of enactment of the National Sea Grant College Program Act Amendments of 2002 by up to 1 year."

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

Subsections (a), (b), and (c) of section 212 of the National Sea Grant College Program Act (33 U.S.C. 1131) are amended to read as follows:

"(a) AUTHORIZATION.—

"(1) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out this title—

- "(A) \$60,000,000 for fiscal year 2003;
- "(B) \$75,000,000 for fiscal year 2004;
- "(C) \$77,500,000 for fiscal year 2005;
- "(D) \$80,000,000 for fiscal year 2006;
- "(E) \$82,500,000 for fiscal year 2007; and
- "(F) \$85,000,000 for fiscal year 2008.

"(2) PRIORITY ACTIVITIES.—In addition to the amount authorized under paragraph (1), there is authorized to be appropriated for each of fiscal years 2003 through 2008—

"(A) \$5,000,000 for competitive grants for university research on the biology and control of zebra mussels and other important aquatic nonnative species;

"(B) \$5,000,000 for competitive grants for university research on oyster diseases, oyster restoration, and oyster-related human health risks;

"(C) \$5,000,000 for competitive grants for university research on the biology, prevention, and forecasting of harmful algal blooms, including *Pfiesteria piscicida*; and

"(D) \$3,000,000 for competitive grants for fishery extension activities conducted by sea grant colleges or sea grant institutes.

"(b) PROGRAM ELEMENTS.—

"(1) LIMITATION.—No more than 5 percent of the lesser of—

"(A) the amount authorized to be appropriated; or

"(B) the amount appropriated,

for each fiscal year under subsection (a)(1) may be used to fund the program element contained in section 204(b)(2).

"(2) USE FOR OTHER OFFICES OR PROGRAMS.—Sums appropriated under the authority of subsection (a)(2) shall not be available for administration of this title by the National Sea Grant Office, for any other Administration or department program, or for any other administrative expenses.

"(c) DISTRIBUTION OF FUNDS.—In any fiscal year in which the appropriations made under subsection (a)(1) exceed the amounts appropriated for fiscal year 2002 for the purposes described in such subsection, the Secretary shall distribute any excess amounts (except amounts used for the administration of the sea grant program) to—

"(1) sea grant programs that, based on the evaluation and competitive ranking required under section 204(d)(3)(A), are determined to be the best managed and to carry out the highest quality research, education, extension, and training activities;

"(2) national strategic investments authorized under section 204(b)(4);

"(3) a college, university, institution, association, or alliance for activities that are necessary for it to be designated as a sea grant college or sea grant institute; or

"(4) a sea grant college or sea grant institute designated after the date of enactment of the National Sea Grant College Program Act Amendments of 2002."

SEC. 8. ANNUAL REPORT ON PROGRESS IN BECOMING DESIGNATED AS SEA GRANT COLLEGES AND SEA GRANT INSTITUTES.

Section 207 of the National Sea Grant College Program Act (16 U.S.C. 1126) is amended by adding at the end the following:

"(e) ANNUAL REPORT ON PROGRESS.—

"(1) REPORT REQUIREMENT.—The Secretary shall report annually to the Committee on Resources and the Committee on Science of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate, on efforts and progress made by colleges, universities, institutions, associations, and alliances to become designated under this section as sea grant colleges or sea grant institutes, including efforts and progress made by sea grant institutes in being designated as sea grant colleges.

"(2) TERRITORIES AND FREELY ASSOCIATED STATES.—The report shall include description of—

"(A) efforts made by colleges, universities, associations, institutions, and alliances in United States territories and freely associated States to develop the expertise necessary to be designated as a sea grant institute or sea grant college;

"(B) the administrative, technical, and financial assistance provided by the Secretary to those entities seeking to be designated; and

"(C) the additional actions or activities necessary for those entities to meet the qualifications for such designation under subsection (a)(1)."

SEC. 9. COORDINATION.

Not later than February 15 of each year, the Under Secretary of Commerce for Oceans and Atmosphere and the Director of the National Science Foundation shall jointly submit to the Committees on Resources and Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on how the oceans and coastal research activities of the National Oceanic and Atmospheric Administration, including the Coastal

Ocean Program and the National Sea Grant College Program, and of the National Science Foundation will be coordinated during the fiscal year following the fiscal year in which the report is submitted. The report shall describe in detail any overlapping ocean and coastal research interests between the agencies and specify how such research interests will be pursued by the programs in a complementary manner.

SEC. 10. COASTAL OCEAN PROGRAM.

Section 201(c) of Public Law 102-567 is amended by—

(1) striking “Of the sums authorized under subsection (b)(1), \$17,352,000 for each of the fiscal years 1992 and 1993 are authorized to be appropriated” and inserting “There are authorized to be appropriated to the Secretary of Commerce \$35,000,000 for each of the fiscal years 2003 to 2008”; and

(2) striking “to promote development of ocean technology,”.



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Senate

The Senate met at 2 p.m. and was called to order by the President pro tempore [Mr. BYRD].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, help us see the invisible movement of Your spirit in people and in events. Beyond our everyday world of ongoing responsibilities and the march of secular history, with its sinister and frightening possibilities, You call us to another world of suprasensible reality which is the mainspring of the universe, the environment of our everyday existence, and our very life and strength at this moment. Help us to know that You are present, working out Your purposes, and have plans for us. Give us eyes to see Your invisible presence working through people, arranging details, solving complexities, and bringing good out of whatever difficulties we entrust to You.

We begin this new week affirming our loyalty to You, dear God, and to our great Nation. Grant the Senators eyes to see You as the unseen but ever-present Sovereign. Then help them to claim Your promise: "Call to me, and I will answer you, and show you great and mighty things, which you do not know." Through Christ our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The Senator from Nevada is recognized.

SCHEDULE

Mr. REID. Mr. President, today we have the opportunity to file amendments on the antiterrorism legislation. The last 2 weeks have been very productive in the Senate. We completed the very big, important, supplemental appropriations bill providing for many important things, not the least of which is, because of September 11, homeland security.

The work done—I have said this on the floor on a number of occasions—by the Appropriations Committee, led by the President pro tempore and Senator STEVENS, is a hallmark piece of legislation. I certainly hope we can get this out of conference in basically the same form that it left the Senate. It is very important legislation, important for the country. Not only does it take care, as I have indicated, of the homeland defense measures, but it also gives additional support to our troops. And there is money there for some of the other things we are doing in international relations. We ran out of money for disabled veterans. There are many things there that need to be done.

In addition to that, we were able to get up the hate crimes legislation. We on this side are terribly disappointed the minority would not allow us to go forward on that. We thought we were threatened. I guess they, the minority, followed through on their threat that they were going to basically kill this bill by offering all kinds of amendments. They were unable to do that, but they did prevent cloture from being invoked.

The debt limit is now out. It is important. I am disappointed that the country has turned on its head basically. Last year at this time, we had a

\$4.7 trillion surplus. We now are basically spending in the red. That is too bad. But we had to extend the debt limit. We did that. It was the responsible action. I hope the House will follow suit without games being played there.

We were able to dispose of the estate tax. I was interested. I listened on public radio Saturday to Bill Gates's father, Mr. Gates, talking about why he believed the estate tax was an important part of America. Remember, this is Bill Gates's father. He basically said he wanted his children well taken care of, and he wanted his grandchildren well taken care of, but it wasn't right to have no tax on an \$85 billion estate. That is basically what his son has. We were able to get rid of that.

Finally, we were able to have a good debate on the terrorism legislation dealing with the insurance aspect of it. Now, in the morning at 9:45, I feel confident we will invoke cloture on that very important legislation. We have been trying to move forward since last year in December.

We have had a productive time. After this week, we have 1 week prior to going out for the Fourth of July recess. The leader announced on Friday that as soon as we complete the antiterrorism insurance legislation, we are going to go to the Defense authorization bill. That is also extremely important. Senators LEVIN and WARNER have worked very hard on that legislation. It is always a bill where there are lots of amendments. I think this year will be no different. But it is something we will finish prior to the July 4 recess.

We have our work cut out for us. I hope those people who have amendments to offer on this legislation will do so.

As I have indicated, there will be no votes today. The vote will occur tomorrow morning on cloture. All first-degree amendments must be filed before 4 p.m. today. All second-degree amendments must be filed before 9:40 a.m. tomorrow.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S5623

TERRORISM RISK INSURANCE ACT
OF 2002

The PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of S. 2600, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2600) to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism.

Pending:

Brownback amendment No. 3843, to prohibit the patentability of human organisms.

Ensign amendment No. 3844 (to amendment No. 3843), to prohibit the patentability of human organisms.

The PRESIDENT pro tempore. What is the will of the Senate?

The Senator from Kansas, Mr. BROWNBACK.

AMENDMENT NO. 3843

Mr. BROWNBACK. Mr. President, I thank the Senator from Nevada for bringing up the issues. They are important ones before the country.

We are on the terrorism reinsurance bill, an amendment I have pending on this bill. The amendment I have pending has to deal with the issue of whether you can patent a human embryo, patent a person, whether you can patent a clone. I regret we are considering this amendment in this way. It was my hope that we would be able to have a set amount of time on the floor to be able to openly debate the overall issue of human cloning. I was hopeful we would be able to have that debate in February or March of this year, but things came up, apparently, and we were not able to take this debate forward.

I am left with the only recourse I have as a Member of this body, and that is presenting amendments to the body to consider the issue of whether or not we should proceed forward with the issue of human cloning, which is proceeding forward in America today. I think the wise course of action at this time is for us, overall, to have a moratorium on human cloning of all types for a 2-year time period. This will enable us to sort out what people really think and where this science would take us. I would favor a ban on human cloning, in order that we would not create human beings just for research purposes or for spare parts. But those issues will be left, perhaps, to address later this year.

For now, we have a narrow issue before the body, and that is whether or not human clones should be allowed to be patented. The Patent Office has issued a statement that it believes they should not grant patents on human clones, that this is a violation of the 13th amendment to the Constitution on slavery.

The Patent and Trademark Office has a longstanding policy of not permitting patents on people. Within the past year, they have awarded a patent to the University of Missouri on the process of human cloning, as well as what

is referred to as the products of that process.

It is clear that while the Patent and Trademark Office has an announced policy and, in view of recent patents that have been issued, as well as the fate of some of the patents that are currently pending, that the Congress should codify the view of the PTO in order to remove any ambiguity. We need to make it clear to the Patent Office that a human embryo created by a cloning process is a person, not a piece of property, not livestock that can be owned, and therefore should not be allowed to be patented. But there is a rub here because the Patent Office is being asked to issue these patents on people. They are saying, no, we should not grant these. A number of lawyers are challenging that and saying: What is a human clone? What is the young human embryo. They are stating: It is not a person, it is a piece of property; therefore, we can patent this. That is why we want to have clarity coming out of the Congress—a clear determination that you cannot patent a person. That should be illegal and should back up the position of the Patent and Trademarks Office.

We all know this debate is really about the future of humanity. It is moving at a very rapid rate. Just a few years ago, the debate was over whether or not the Federal Government should subsidize the destruction of embryos for the purpose of harvesting their inner-cell mass. That debate was over the disposition of human embryos already in existence.

Then the debate moved to whether or not embryos can be specifically created for their destruction. Human cloning—and whether or not we should utilize some of the most recent developments in the field of science—to create embryos for research purposes has been one of the latest debates. The next debate will be the issue of whether or not we can take outside genetic material and put it into the human species to the point where it can be reproduced in future generations of humans—where one generation of humans would decide the future of following generations. That is called germ line manipulation, and that will be up next.

This involves the issue of slavery again. It is a debate about whether or not individuals, and whether or not corporate America, can in fact patent and therefore control the destiny of a group of humans.

It is clear, as several have already commented, that the patenting of people could very well lead to a commercial eugenics movement—where people and traits are bought and sold by those in a position of power and authority.

The time will come—if this is allowed to continue—where human attributes are determined by a parents' pocketbook perhaps, rather than nature.

Human cloning tampers with nature in a very significant way. Now what some in the corporate world want to do

is start trafficking in human embryos—creating human embryo farms where embryos are mass produced on assembly lines by specific specifications and harvested for parts.

These corporate interests are now trying to begin patenting the people they produce. As my colleagues are well aware, the University of Missouri has already been granted a patent on the human cloning process.

The time for clarity is now. This disturbing bioindustrialization of life is continuing as I speak on the Senate floor. This debate is no longer about yet another step down the path toward a brave new world; it is, as the commentator Charles Krauthammer put it, “downhill skiing.” It is not just a step, it is downhill skiing. We need to stop it now.

By denying private companies the ability to patent a human person, and barring them from patenting the process of human cloning, we will be sending a very clear message that it is unacceptable to turn people into property and then buy and sell them as if they were commodities.

We should not allow corporate America to traffic in human embryos. By preventing the patenting of people, we will be stopping this practice.

My amendment makes clear that it is not acceptable to patent people and not acceptable to patent the process of human cloning for the purpose and process of making people.

This is a very important issue—one that demands our immediate attention. I urge my colleagues to vote against cloture on the terrorism reinsurance bill so that we can have our debate on the emerging biotech sector that I have mentioned.

I want to address a couple of other issues. I have a letter I want to put forward for Members of the body to consider. It is from the President of the Biotechnology Industry Organization on the issue of patenting people and of embryos, Carl Feldbaum. He was writing to an individual and stated their organization's opposition to the patenting of human embryos.

He states this:

Thank you for your thoughtful letter, which posed reasonable, provocative questions. With regard to the primary question you raised, BIO opposes patents on cloned human embryos. Many issues surrounding the research remain to be resolved, but on that matter our position is decided.

That is from Carl Feldbaum, President of Biotechnology Industry Organization, the lead organization for biotechnology, which is opposed to the patenting of people.

I ask unanimous consent that this letter be printed in the RECORD at the end of my statement.

(See exhibit 1.)

Mr. BROWNBACK. Mr. President, I urge Members to look at this. Here is the lead organization in the country that one might think is probably most in favor of patenting clones; yet they state they are opposed to it.

By passing this amendment to ban the patenting of human clones, it does not ban, does not stop, does not even slow down the issue of human cloning. That will proceed. The research is allowed. I don't think it should be. I think we should join the House and the President in calling for an end to human cloning. This body has not done that. But this amendment does not address that issue. The only issue in front of the body in this amendment is whether or not the Patent Office will be allowed to patent human embryos and human clones. That is the only issue involved in this amendment—whether or not that patenting will occur.

If my amendment passes, we will say: Patent Office, do not allow patents of human clones or embryos, but if people want to continue research on human clones, they can do so. If they want to continue to develop human clones, they can do so. I don't think it is wise or the right thing. I think it should stop, but that is not involved in this amendment. This is strictly about the issue of whether patents can be issued on a human clone. In that sense, it is a very clear issue of the division of what do you think a clone is? A person or property? In our jurisprudence system, it is one or the other—a person or a piece of property. If it is a piece of property, it can be patented. If it is a person, it cannot. That is against the 13th amendment to the Constitution on antislavery. If it is property, it can be patented.

So it really goes to your fundamental view of how you view young life, the human embryo. Is it a person on the continuum of life, or is it a piece of property to be disposed of as its master chooses? Which is it? That is the issue in front of this body—whether this young human at this stage, if it were nurtured to grow into a full birth, full human, by anybody's definition, is considered a person or property.

Now, some arguments were put forward last week on what this would do in the field of human cloning. Again, I state to my colleagues that it is not going to ban human cloning. This would simply limit the patenting process of human clones, and this is something that the Patent Office seeks clarifying authority on as well.

For those reasons, I urge my colleagues to support this amendment, to not support the cloture motion on terrorism reinsurance. This is the only vehicle we have open to us to be able to get these important and vital issues in front of the body.

We would like to get a clear up-or-down vote on this issue, and this is what we need to do to get that vote before the body. I hope my colleagues will study this carefully and realize what they are and are not voting on with this particular motion.

CLOTURE MOTION

Mr. BROWNBACK. Mr. President, I send a cloture motion to the desk.

The PRESIDENT pro tempore. The cloture motion having been presented

under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Brownback amendment No. 3843:

Jon Kyl, Jeff Sessions, Don Nickles, Jim Inhofe, John Ensign, Rick Santorum, Michael B. Enzi, Bob Smith, Chuck Hagel, Mitch McConnell, Tim Hutchinson, George Allen, Peter Fitzgerald, Trent Lott, Sam Brownback, Larry E. Craig.

The PRESIDENT pro tempore. The Senator from Kansas, Mr. BROWNBACK.

Mr. BROWNBACK. Mr. President, I admit filing a cloture motion is a very strong statement to make. However, I believe I have been very patient. The Senate has a responsibility to begin addressing this very important issue. It started last fall. We thought we were going to get it addressed in the February-March timeframe, and now we are in June.

My cloture motion is meant to ensure that if the majority leader fails to invoke cloture on the underlying bill, we will then get a vote on this amendment of patenting people. The Senate needs to begin voting on these issues, and I am going to begin trying to get votes on my amendment as we go along the process.

I was a little surprised last week to see that the Senate majority leader filed a cloture motion on the terrorism insurance bill so quickly—another parliamentary move to close debate on this very important issue of human patenting. I had hoped we could have had a fair debate and vote on my amendment. Unfortunately, the leadership is trying to prevent my amendment coming to a vote. Therefore, in the event the majority leader fails to invoke cloture on the underlying bill tomorrow, I am going to get a vote on my amendment, and that is what I seek.

This should be a clear issue for people to decide where they stand on the issue of patenting of human clones and human embryos. That is why I filed this cloture motion.

Mr. President, I yield the floor.

The PRESIDENT pro tempore. What is the will of the Senate?

The Senator from Nevada, Mr. REID.

Mr. REID. Mr. President, there has been some discussion as to why the majority leader filed a motion to invoke cloture. Remember, last week we finished work on a bill and were asked by those who said they favored a discussion and favored the antiterrorism legislation to go to it on Wednesday, and they said: Give us an extra day. Of course, the extra day did not mean anything. Basically, there were no amendments filed. One amendment was filed, and we waited and waited. Then Friday was the same.

We have a lot of work to do. As the President pro tempore knows, we have

all the appropriations bills to do. They are going to have to be done in a very condensed period of time. As soon as we get some numbers, all the subcommittee chairs in the Senate will be anxious to proceed.

Again, as the Presiding Officer knows, we tried very hard when we were doing the supplemental appropriations bill to get some numbers, complete it, have it a part of that legislation, but people objected. That is too bad because we could this week be marking up some appropriations bills.

In the Senate, we have a finite amount of time to do an infinite number of items. I certainly support the majority leader filing a motion to invoke cloture, and in the future, when people are not serious about offering amendments to legislation, then he should do so again.

We have been very patient waiting for people to file amendments on legislation. We just cannot stand around in quorum calls all day and then deal with amendments that have nothing to do with the basic legislation that the whole country says is important.

I understand the seriousness of the Senator from Kansas. He believes very deeply in what he is trying to do. I admire his conviction. But others have different convictions and feel just as strongly. The Senator will have other opportunities to move this issue. Also, the majority leader lived up to his commitment to the Senator from Kansas. He said he would make sure there was an opportunity to bring this up.

A unanimous consent request was offered. The only thing wrong with it was who got to vote last. The Senator from Kansas, for reasons he believes are important, would not agree to the unanimous consent request because he did not get the last vote. As a result of that, we are in the posture of these issues being brought up on unrelated legislation.

I think the best thing to do is to bring up a freestanding bill and deal with the issues he believes are important. It can be debated on both sides. It would be a clean way to do it. Everyone realizes—the Banking Committee is dealing with terrorism insurance legislation—no matter what happens, something dealing with cloning is not going to stay in conference. It is a banking bill. We would be better off with a freestanding bill.

I personally do not understand why my friend, the distinguished senior Senator from Kansas, would not accept the unanimous consent request, but that is a decision he made. I still underscore the fact that he has a right to do what he is doing, and the majority leader has a right to do what he is doing to terminate debate on this bill which I am confident and hopeful will happen in the morning.

Mr. BROWNBACK. Mr. President, I would like to respond to the Senator from Nevada. I have a great deal of respect for Senator REID and for what he is doing. There was a unanimous consent request propounded before, and I

agreed not to amend the basic bill on cloning. We had it agreed to with no amendments. I have a series of four or five amendments. This was not going to be an open debate about the issue. This was going to be two cloture motion votes at the end. There were to be no amendments, which I thought was a relinquishing of my rights, and we would just do two cloture motion votes. The order of the cloture motions became very important.

If we are going to have two votes on a very big issue, the last one is going to be the one that would have the most possibility. Most Members of the body believe we should be doing something on cloning. If the first one does not get 60, it is highly likely the second one will be in a better position because a number of Members of the body may say, I am with you on this because something needs to be done on cloning, and would peel over and vote for the second cloture motion.

I gave up a lot of ground and rights by agreeing to a tight timeframe and only two votes on arguably one of the biggest bioethical issues of our era. When we were not given a better position in the vote, it looked to me that the process was set to come up with a certain outcome. I cannot agree to that, not after this much effort has been put into the overall issue. That is why I disagreed to the unanimous consent request, and that is why I am bringing this issue up now. We need to get it considered. This is a vehicle on which we can consider it.

We have a limited number of legislative days. The body needs to speak on these important issues. I think it is better if we just pull this issue up for a vote even before the cloture motion vote so it is a clean issue and people can decide. It does not remove the issue of cloning. Cloning can continue to take place in America and will, whether this amendment passes or not. This is strictly about whether the process of creating human beings or the human person itself can be patented. I think that this vote should be relatively easy for most Members of this body to take. That is why I bring it forward and continue to ask that the cloture petition of the majority leader not be agreed to at this time so we can consider this important legislation.

I thank the floor manager for being willing to work with us. He has been very gracious and thoughtful, but I wanted to express my reasons for wanting to take the stance that I did.

EXHIBIT 1

BIOTECHNOLOGY INDUSTRY ORGANIZATION,

Washington, DC, April 26, 2002.

Mr. WILLIAM KRISTOL,
Chairman, Stop Human Cloning, Washington, DC.

DEAR MR. KRISTOL: Thank you for your thoughtful letter, which posed reasonable, provocative questions. With regard to the primary question you raised, BIO opposes patents on cloned human embryos. Many issues surrounding the research remain to be resolved, but on that matter our position is decided.

I would like very much to discuss in person and at length your other concerns about our industry, and stem cell research in particular. Perhaps we can arrange something after the Brownback vote. Although I wish we had begun this conversation before the issues became so polarized, I welcome the opportunity you've opened for a dialogue.

Sincerely,

CARL B. FELDBAUM,
President.

Mr. REID. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that, notwithstanding the recess of the Senate, Members may still file amendments until 3 p.m. today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HOLLINGS. Madam President, I rise to address the pending legislation, S. 2600 which is designed to provide financial assistance to the insurance industry concerning coverages and losses due to acts of terrorism—for the purpose of ensuring the continued availability of terrorism insurance coverage. I must say from the outset that I disagree with this legislation, not based on its aims, but the manner in which the legislation is structured and the way it seeks to accomplish its stated goals.

This is an issue that the Senate sought to address last fall, during the height of the national market and security crises that were precipitated by the September 11 terrorist attacks. In light of the fact that our commercial markets had never experienced a terrorist attack and losses in the magnitude that occurred on September 11, a great deal of uncertainty was stirred in the marketplace. Claiming that they had no experience in pricing such events, insurance companies threatened wholesale cancellations of terrorism coverage by the end of the year of 2001. Given these circumstances—and the severe threat that was posed to the stability of key industries and markets—clearly Congress was compelled to act.

Consequently, I, along with Senator MCCAIN, decided it was necessary for the Commerce Committee to take action. We made this decision in light of the Commerce Committee's longstanding jurisdiction over the business of insurance, and given that the committee had been working on legislation to address the availability of property and casualty insurance in areas prone to natural disasters, which involved issues similar to those relating to terrorism insurance. I would like to emphasize that the Commerce Committee has exercised jurisdiction over the business of insurance for the past 50

years. We have considered legislation relating to: the creation of risk pools and special insurance funds for insuring against natural disasters; the repeal of McCarran-Ferguson Act and the Federal regulation of insurance; Federal oversight of the solvency of insurance companies; the prohibition of discrimination in the sale of insurance; insurance redlining; Federal regulation of automobile insurance; and the availability of liability and property and casualty insurance, which are the very issues this legislation seeks to address.

The committee convened a hearing, which included testimony from Treasury Secretary O'Neill, as well as state insurance officials, academics, the Consumer Federation of America, CFA, the National Taxpayers Union, NTU, and the insurance industry. I should note that the main point that was emphasized by the independent witnesses is that a program could and should be designed to ensure the insurance companies used their own resources to provide the necessary backstop to stabilize the market. As they, and state officials advised, the best way to do this was through the creation of a risk pool.

Following the hearing, along with Senator MCCAIN and other members of the committee, I began to work with state regulators, CFA and NTU to craft legislation along these lines. Senator MCCAIN and I came to an agreement except for on the matter of punitive damages. Consequently, we introduced two separate bills—S. 1743, my bill, and S. 1744, his bill—both of which would have required a payback by the companies.

I will briefly describe my legislation. As I noted, the legislation was constructed from risk pool proposals submitted by the insurance industry, state insurance commissioners, the Consumer Federation of America, CFA, and the National Taxpayers Union. It has been endorsed by 13 current state insurance commissioners—Republican and Democrat.

The legislation would establish a risk pool through the creation of a national fund—known as the National Terrorism Fund hereinafter referred to as "the fund". The fund will be created within the U.S. Department of Commerce, in conjunction with a 10-member Advisory Committee, which would include the Secretary of Treasury, State insurance regulators, and insurance industry representatives.

The fund will be capitalized through an annual assessment of 3 percent of an insurer's previous calendar year direct written gross premiums. The companies writing coverages for the major property and casualty lines would be required to participate.

All commercial insurance companies will be required to participate in the fund. Providers of personal insurance coverage will have the option of participating if they believe they need additional reinsurance.

Companies will be authorized to pass through the 3 percent assessment to

their policyholders. Companies seeking to raise rates beyond these levels will be required to report and justify, with substantial evidence, such actions to State insurance regulators. This is designed to deter companies from using terrorism as an excuse to raise rates overall. Additionally, the bill will maintain enforcement of states' fair trade practices and fair claims practices and laws.

Each participating insurer would have a 10 percent retention level based on its previous year's direct written premiums. Once a company suffers losses due to terrorism that exceeds its retention level, the company would be permitted to receive payments from the fund. For example, if a company has direct written premiums of \$100 million, its retention would be \$10 million. Some have advised that the retention level should be as high as 20 percent. The bill originally contained a 20 percent retention, but it was lowered to 10 percent in response to concerns by the industry.

Once a company has met its retention levels, the fund will cover its remaining losses as follows: 90 percent during the first year (90/10). For the second and third years, a company will be permitted to select the amount of coverage from the following options: 90 percent coverage of losses for a premium of 5 percent of its direct written premiums and surplus; 80 percent coverage for a 4 percent premium; and 70 percent coverage for 3 percent premium.

If at any time during the 3 years of the program, the losses from the participating companies exceed the fund's capacity, the fund will be authorized to borrow, from the Federal Treasury, moneys to cover the losses up to \$100 billion. The fund, through assessments on all participating companies, would be required to repay the loan. The fund and the companies would be given as long as 20 years, if necessary, to repay the loans at standard market interest. If there are outstanding loans due after the expiration of the fund on December 31, 2004, the companies will continue to be assessed until the loans are repaid.

If at the end of the program the fund has a positive balance, the participating companies would be allowed to recoup the funds—based on the proportion of each company's contribution—contingent upon a guarantee that the money will be placed in a special catastrophic reserve account. That account could be used only to pay for losses related to terrorism, and major catastrophes, earthquakes, hurricanes, and tsunamis. Any company seeking to use the money for other purposes would be subject to criminal penalties.

I should also note that as time began to run out last year, I received a call from Secretary O'Neill offering to work together to ensure the passage of a measure to deal with the crisis. I accepted the invitation and had my staff and the administration officials working together the next morning on a

compromise bill. We agreed to work upon the outlines of a 1-year stopgap measure. Unfortunately, the Secretary met strong objections from the Republican side of the Chamber.

I still believe that any legislation that is passed at this point should require a payback. This is especially the case given reports that the market has stabilized and insurance coverage is available for most businesses. The bill before us essentially provides for 2 years of potential unnecessary payments to insurance companies, who could reap a windfall at the expense of the taxpayers.

I also believe that this legislation should not be used as a vehicle for Federal tort reform. This issue killed the bill last year, and may very well derail it this year.

RECESS

Mr. REID. I ask unanimous consent that the Senate stand in recess until 3 p.m. today.

Thereupon, the Senate, at 2:42 p.m., recessed until 3 p.m. and reassembled when called to order by the Presiding Officer (Mr. AKAKA).

The PRESIDING OFFICER. In my capacity as a Senator from the State of Hawaii, I suggest the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the Senate now proceed to a period of morning business with Senators allowed to speak therein for a period not to exceed 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE REESTABLISHMENT OF THE SENATE NATO OBSERVER GROUP

Mr. DASCHLE. Mr. President, today the Senate Republican Leader and I are pleased to reestablish the bipartisan Senate NATO Observer Group, or SNOG. We originally established the SNOG in April 1997 to advise the full Senate on the historic first round of enlargement of the North Atlantic Treaty Organization, NATO. It served as an important line of communication between the Senate and NATO and the Senate and candidate countries in the months prior to the July 1997 NATO summit in Madrid at which Poland, the Czech Republic, and Hungary were admitted to the alliance. The SNOG and the information it generated was central to the Senate's ratification of the protocols of accession in April 1998.

The Senate debate in 1998 foreshadowed further enlargement of

NATO, and in June 2001, the North Atlantic Council determined that NATO would admit at least one candidate country at the November 2002 summit in Prague. In reestablishing the SNOG, we are asking this bipartisan group of our colleagues to closely monitor the enlargement process and to keep the rest of the Senate fully informed as we move to another historic decision at Prague. The SNOG will work with the Administration, our NATO allies, and the NATO candidate countries, of which there are nine. The fact that nine countries have been designated as candidates only highlights the importance of the SNOG in assessing each country's progress in meeting the qualifications for accession and reporting to the Senate on that progress.

The Senate takes its constitutional role of advise and consent on treaties very seriously. The protocols of accession signed by new NATO members are considered amendments to the North Atlantic Treaty and will require the advice and consent of the Senate. The inclusion of new member countries into NATO involves a commitment, under Article V of the Treaty, to defend those countries in case of attack—a solemn commitment and one we will not undertake lightly. It is in the security interests of the United States to see NATO expanded, to create a Europe that is whole and free. But it is also the solemn responsibility of the U.S. Senate to look carefully at any new commitments to which American troops might be subject.

The SNOG will be chaired by the Chairman of the Senate Foreign Relations Committee, Senator JOSEPH BIDEN of Delaware, and co-chaired by Senator HELMS. The Senate Majority Leader and Republican Leader will be members, *ex officio*. The other Democratic Senators on the SNOG will be Senators ROBERT BYRD of West Virginia, JEAN CARNAHAN of Missouri, MAX CLELAND of Georgia, BYRON DORGAN of North Dakota, RICHARD DURBIN of Illinois, TOM HARKIN of Iowa, DANIEL INOUE of Hawaii, TIM JOHNSON of South Dakota, MARY LANDRIEU of Louisiana, PATRICK LEAHY of Vermont, CARL LEVIN of Michigan, JOSEPH LIEBERMAN of Connecticut, BARBARA MIKULSKI of Maryland, PAUL SARBANES of Maryland, ROBERT TORRICELLI of New Jersey, and PAUL WELLSTONE of Minnesota.

Mr. LOTT. Mr. President, I am pleased to join Senator DASCHLE in reestablishing the Senate NATO Observer Group. When we first established the SNOG in April 1997, I emphasized that the Senate be in on the ground floor of the NATO enlargement process. Because it was bipartisan, the SNOG cut across party lines as well as committee jurisdictions, and ensured that the Senate would be heard both during the NATO enlargement process and after the decisions were taken in Madrid. Today, by reestablishing the SNOG, we are ensuring that the Senate will be fully informed prior to the next round

of enlargement this November in Prague and in its consideration of ratification.

On June 15, 2001, President Bush gave an historic speech in Warsaw, Poland at which he said that "all of Europe's new democracies, from the Baltic to the Black Sea and all that lie between, should have the same chance for security and freedom, and the same chance to join the institutions of Europe, as Europe's old democracies." His audience, the Poles, understood what he was talking about. Less than two decades ago, they suffered under the oppressive weight of the Soviet Union. Today, they enjoy freedom, protected by their membership in NATO. As the Senate considers the expansion of NATO to include other Eastern European countries, we should remember the words of the President. We must also act deliberately, examining the qualifications of each candidate country and the commitments that their accession to NATO entails. It is for that purpose that we are reestablishing the SNOG.

The other Republican Senators on the SNOG will be WAYNE ALLARD of Colorado, SAM BROWNBACK of Kansas, BEN NIGHORSE CAMPBELL of Colorado, THAD COCHRAN of Mississippi, MIKE DEWINE of Ohio, MIKE ENZI of Wyoming, CHUCK HAGEL of Nebraska, MITCH MCCONNELL of Kentucky, DON NICKLES of Oklahoma, PAT ROBERTS of Kansas, RICK SANTORUM of Pennsylvania, JEFF SESSIONS of Alabama, GORDON SMITH of Oregon, TED STEVENS of Alaska, GEORGE VOINOVICH of Ohio, and JOHN WARNER of Virginia.

IN HONOR OF BECKY MILLS

Mr. REID. Mr. President, I rise today to honor a fine public servant, great Nevadan, and friend, Ms. Becky Mills. On May 3, 2002, after nearly 25 years of employment with the National Park Service, Becky retired from her position as Superintendent of Great Basin National Park.

Becky Mills learned to love the great outdoors as a young child. Her grandfather took her on camping and fishing trips to Yosemite, where she interacted with Park Rangers around the campfire, and her participation in the Girl Scouts allowed her to explore more national parks: Yellowstone, Sequoia/Kings Canyon, Grand Canyon, Zion, Bryce, Lake Mead, and others.

Her lifelong interest in nature contributed to her decision to dedicate her life to protecting the environment. While hiking to the Mount Everest Base Camp in the Himalayas in the fall of 1976, Becky decided to change careers so her professional life would match her personal commitment to the environment. Becky joined the National Park Service in May of 1978 as Regional Chief of Youth Programs for the Pacific West Region. Her decision proved to be beneficial for the Park Service and, ultimately, for Nevada.

In 1995 Becky was appointed Superintendent of Great Basin National

Park in Nevada. In this capacity, she worked to protect and enhance the natural and cultural resources of the park and the surrounding lands and community. To help preserve the park's history, Becky has been instrumental in planning and designing a new Great Basin National Park Visitor Learning Center. Her dedication to the Park Service, and particularly to the people of east-central Nevada is both inspirational and much appreciated.

I extend to her my most sincere congratulations and appreciation for her commitment to Great Basin National Park, the environment, and public service.

POEMS ON SEPTEMBER 11

Mr. REID. Mr. President, I received two poems written by a constituent of mine, Ira Somers from Nevada, about the terrorist attacks of September 11. Reading these poems, I was reminded of the country's great sorrow following that tragic day and the ensuing strength and compassion that Americans demonstrated afterwards as they came to the aid of those in need, made donations, cleaned up, and put their lives back together. But what struck me most was the poet's reminder to reaffirm and continue this spirit, to seek out ways every day to lend a helping hand and to promote peace and goodwill.

I would like to share these two poems written by Ira Somers. I ask unanimous consent that the poems be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows.

THE DAY OF NINE-ONE-ONE

(Written the day of the memorial service for this event)

It began as a quiet day
Lives were normal in every way.
The sun arose with fullest light
And moved the shadows of the night.
But this was not to last for long,
Two big giants tall and strong
Which seemed to stand for what is good
Were struck by evil where they stood.
'Twas on the day of nine-one-one
That they were lost to everyone.
There they were, and now they're not,
And where they stood's a gruesome spot.
How could these giants of our day
Be brought to naught in such a way
To leave this mass of jumbled parts
And bring such grief to all our hearts?
We sensed the feelings of despair
In those who walked most everywhere
To find the ones that they had lost
And bring them back at any cost.
Souls were touched by the kindly deeds
Of those who toiled for other's needs,
And how they struggled day and night
Against this wrong that had no right.
A vicious crash at the Pentagon
Tore at the souls of every one,
And word of heroes in the air
Brought tears to eyes most everywhere.
We all can learn from such great loss
To look at need before the cost
When giving help to anyone
And not say quit 'til peace has won.

POST NINE-ONE-ONE

(Written the day the recovery and cleanup operations were concluded by a ceremony at the World Trade Center site)

There where those giants stood so tall
They've cleared away and moved it all,
And nothing's left for one to see
But empty space with memories.

Thinking back to pre-nine-one-one
And the kinds of things we'd have done.
No red flag would have caused a stir
We were so vain and so cocksure.

But hearts were changed by nine-one-one
Which touched the souls of everyone.
There was oneness not seen before
With firm resolve there'd be no more.

Now, time can take a ho-hum toll
So let's not slack on our real goal.
To these vile men this was no game
And there are more who'd do the same.

In all we do let us never cease
To be a force in the cause of peace,
And let the acts of that sad day
Change our lives in permanent ways.

Let us avoid all selfish goals
And lift our sites and pledge our souls
To always stand and work as one,
And keep it up 'til peace has won.

GAO REPORT ON CAMBODIA

Mr. MCCONNELL. Mr. President, the conclusion of the General Accounting Office's, GAO, recently released report on Cambodia is deeply troubling—but comes as no surprise to those of us who have long followed developments in that country.

While GAO has noted some progress by the Royal Government of Cambodia, RGC, to implement public finance, military, and land management reforms, the lack of headway in other areas—including legal and judicial, public administration, anticorruption, and forestry management—is glaringly absent.

Until the RGC fully implements legal reforms and embraces the rule of law, the international community has no choice but to consider any and all progress in Cambodia as limited and impermanent.

The obstacles to good governance in Cambodia are many, but the lack of political will by the ruling Cambodian People's Party, CPP, to implement much needed reforms poses the single greatest challenge to meaningful democratic, economic and social development.

The abuses of Prime Minister Hun Sen and the CPP are legion, and it is past time that the international community holds them accountable for their repressive actions. This Senator has not forgotten the many innocent Cambodians killed and injured in the March 1997 grenade attack in Phnom Penh, or the Prey Veng farmers who continue to gather in the capital following massive floods caused by the Cambodian military's rampant illegal logging.

The international community would be wise to hold the RGC accountable not for what it says, but for what it does. In this respect, donors should aggressively and relentlessly push for

credible parliamentary elections next year, through which the Cambodian people can freely choose new leadership.

In the post-September 11 world, America can no longer afford to turn a blind eye to authoritarian and lawless regimes. Just as Cambodia has become a haven for the Asian underworld, America should be concerned that terrorists and their finances will seek refuge in that lawless country.

COMMENDATION OF THE NATIONAL ASSOCIATION OF LETTER CARRIERS' 10TH ANNUAL "STAMP OUT HUNGER" FOOD DRIVE

Mr. AKAKA. Mr. President, I rise with pleasure today to commend the National Association of Letter Carriers, NALC for their unprecedented commitment to answering the call of reducing hunger in the United States. Over 30 million Americans go hungry everyday. In the summer months, the problem is particularly acute because the demand for emergency food is high and donations are at their lowest yearly point. However, on May 11, almost 62.7 million pounds of food was collected in the 10th Annual "Stamp Out Hunger" food drive as a result of the dedication of NALC members.

Through a combined effort by the Priority Mail division of the U.S. Postal Service and the Campbell Soup Company, postcards promoting the food drive were delivered to over 100 million postal customers in all 50 States, the District of Columbia, Guam, and Puerto Rico. Then, on May 11, in addition to their daily postal duties, letter carriers volunteered to pick up donations, sort through them, and deliver the contributions to local community food banks. About 1,500 local NALC branches throughout the U.S. were involved in the drive.

Others involved in the success of the nation's largest one-day effort to combat hunger were Saturn-UAW Union partnership Initiative, local United Ways, the AFL-CIO, and Family Circle creator and cartoonist Bill Keane. The Campbell Soup Company donated one million pounds of canned goods.

The National Association of Letter Carriers is the union of city delivery carriers employed by the U.S. Postal Service which has a long tradition of participating in community service. The NALC "Stamp Out Hunger" food drive is just one example of the members' generosity and commitment to the communities that they serve.

It is fitting that we applaud the sense of community displayed by the members of the NALC, who like their fellow postal workers, have demonstrated their dedication and pride in carrying out their daily jobs. I urge my colleagues to join me in commending the National Association of Letter Carriers, their sponsors, and the millions of Americans who donated food on May 11. Their generosity will help ease the

plight of hunger for millions for men, women, and children in the United States.

ADDITIONAL STATEMENTS

TRIBUTE TO MATTHEW EVANS

• Mr. WARNER. Mr. President, I rise to recognize a valued member of our Senate family, Matthew Evans, the Senior Landscape Architect here at the United States Capitol, who was recently honored by the National Arbor Day Foundation with their 2002 Good Steward Award.

Through the years, Matthew has earned numerous awards including the American Society of Landscape Architects' once-in-a-century Centennial Medallion in recognition of the Capitol Grounds as a national landmark for outstanding landscape architecture. Gardens designed by him have been featured in films and magazines. These awards recognize him for his outstanding professional abilities and his invaluable contributions to our U.S. Capitol Building and Grounds.

We are fortunate to have Matthew's practiced eye and professional skill at work for us here at the Capitol. He and his staff are meticulous in the care they provide a preserve and enhance the grounds of this treasured national landmark. Matthew also collaborates with countless groups and representatives from other government agencies, civic organizational and community groups to ensure that the many important ceremonial and special events held on these historic grounds occur in a way that protects and preserves our invaluable greenery.

Each day of the year, thousands of Americans as well as foreign dignitaries and guests tour our Capitol and grounds. Many of them linger to snap photos and to view the magnificent old trees and beautiful plantings here on our Capitol grounds. These landscape treasures add immeasurably to the memories our visitors carry away from their visits here. Matthew Evans now faces perhaps the greatest challenge of his career. He must protect, to the greatest extent possible, the trees and grounds of the Capitol during the construction of the new Visitors Center and then restore this historic property to its beautiful state. We all wish him well in this important endeavor.

I congratulate Matthew on receiving the prestigious Good Steward Award and I thank him for his dedicated service. I am glad to know he will be continuing his skillful and wise stewardship of the invaluable architectural landscape legacy we enjoy here at the U.S. Capitol.●

NATIONAL HISTORY DAY

• Mrs. FEINSTEIN. Mr. President, today I stand to honor three outstanding California students: Michael

Crowe, Jennifer McWilliams, and Heather Scott.

These students are finalists in the National History Day Contest. They are also among 15 students who have been selected from a national pool of 700,000 to display their work at the White House Visitors Center this week.

National History Day is a year-long event in which students prepare exhibits, papers, documentaries, and performances to explain not only the "who" and the "what" of history but also the "why."

In his performance "Castro, Cuba, and the Revolution the World Will Never Forget," Michael Crowe, a seventh grader at Fruitvale Junior High School in Bakersfield, explores the relations between the United States, Cuba, and Russia during the Cold War.

As part of his research, Michael spoke to former Secretary of Defense Robert McNamara and to CBS anchorman Walter Cronkite.

He also gained a unique perspective on the era by interviewing the children of Fidel Castro and Nikita Khrushchev.

Working together, eighth graders Jennifer McWilliams and Heather Scott, who also attend Fruitvale Junior High, created an exhibit entitled "On the Trail to Revolution: Ho Chi Minh and the Vietnam War."

In addition to speaking with Robert McNamara and Walter Cronkite, the girls interviewed veterans, refugees, and a Vietnamese expatriate who lived in Vietnam during the war to understand the conflict and its effects on our Nation.

Like other National History Day participants, Michael, Jennifer, and Heather chose their topics last fall. They spent a year conducting extensive research and analyzing past events.

Michael, Jennifer, and Heather then joined over half a million other students and entered their National History Day projects in local competitions.

From these local competitions, approximately 2,000 participants are chosen to proceed to the national finals. There, they compete for cash and scholarships.

Michael, Jennifer, and Heather are among this year's finalists, an accomplishment remarkable in itself. However, these students also demonstrated great enthusiasm and superior effort while completing their projects.

This earned them the privilege of exhibiting their work at the White House Visitors Center.

Michael, Jennifer, and Heather performed truly first-rate research and demonstrated initiative and dedication beyond their years. Their projects are of exceptional quality.

These young people have earned my sincere admiration, and I congratulate them on their achievements.●

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 April 27, 2001 at Kent State University in Ohio. Mikell Nagy, an openly gay university student, was eating breakfast with friends when he heard someone make an anti-gay comment toward another friend across the room. When Mr. Nagy went to see if his friend was okay, a man walked up behind him, called him "fag-got" and punched him in the face. According to witnesses, blood was pouring from cuts above his left eye and his two front teeth were chipped during 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.●

HONORING CAPTAIN STEPHEN A. PRINCE

● Mr. HOLLINGS. Mr. President, I want to pay tribute to a native of Greenville, SC, Captain Stephen A. Price. He will soon be retiring after a distinguished 26-year career in the Navy, most recently as the division chief at the Defense Logistics Agency's Business Development and Supply Chain Integration, Fort Belvoir, VA.

Captain Price has served in a number of challenging positions. At sea, he participated in the highly successful maiden deployment of the USS *John C. Stennis* to the Arabian Gulf. He also served as an officer on the USS *Ashtabula* and the USS *John L. Hall*. His shore assignments, in the Area of Supply, have taken him to four States and to Iceland. His personal awards include three Meritorious Service Medals; and from the Navy and Marine Corps, two Commendation and two Achievement Medals.

We all appreciate Captain Prince's service to our Nation. I wish him, his wife Linda, and their two daughters, the very best; and I hope they have more opportunities to return home to South Carolina to visit Captain Prince's family currently residing in Myrtle Beach.●

25TH ANNIVERSARY OF SUNLINE TRANSIT AGENCY

● Mrs. BOXER. Mr. President, I am proud to take this moment to salute the incredible 25-year record of SunLine Transit Agency, which provides service to the Coachella Valley. SunLine Transit Agency is a leader in clean fuels technology, operating all its transit buses and other vehicles on alternate fuels.

SunLine is clearly ahead of its time. It was the first public transit agency in the nation to convert its fleet to cleaner burning natural gas, the first to co-develop, with private and public sector partners, renewable hydrogen generation and education facilities, and the lead agency in the Coachella Valley's award-winning U.S. Department of Energy Clean Cities program.

SunLine's clean fuel buses have driven 25 million clean air miles, and have carried 4 million passengers per year in 1999, 2000 and 2001. SunLine has hosted visitors from near and far, including foreign ministers, ambassadors, energy officials, automakers and energy providers. It has also helped other transit properties and fleet operators around the world convert to clean fuels.

I had the great pleasure to tour SunLine's state-of-art facilities and meet its wonderful staff. Last February, I presented the agency with my Conservation Champion Award and took a ride in its hydrogen powered SunBug. As I stood under the brilliant blue sky of the Coachella Valley, I felt proud knowing that California's SunLine Transit Agency is leading the way for the nation with innovative approaches to provide renewable energy.

I would like to extend my sincere congratulations to Richard Cromwell, III, General Manager and CEO of SunLine, and all of SunLine's staff. They have successfully made it a leader for California and the Nation.●

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.)

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-7463. A communication from the Paralegal, Federal Transit Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Clean Fuels Formula Grant Program" (RIN2132-AA64) received on June 7, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-7464. A communication from the Senior Attorney, Federal Register Officer, Financial Management Service, Department of the Treasury, transmitting, pursuant to law, the

report of a rule entitled "Indorsement and Payment of Checks Drawn on the United States Treasury" (RIN1510-AA45) received on May 23, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-7465. A communication from the Congressional Review Coordinator, Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tuberculosis in Cattle and Bison; State and Zone Designations; Texas" (Doc. No. 02-021-1) received on June 10, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7466. A communication from the Chairperson, National Council on Disability, transmitting, pursuant to law, the report of a Anti-deficiency Act violation totaled \$183,500; to the Committee on Appropriations.

EC-7467. A communication from the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Injurious Wildlife Species; Brushtail Possum (*Trichosurus vulpecula*)" (RIN1018-AE34) received on June 6, 2002; to the Committee on Environment and Public Works.

EC-7468. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, a draft of proposed legislation entitled "National Aeronautics and Space Administration Authorization Act, 2003"; to the Committee on Commerce, Science, and Transportation.

EC-7469. A communication from the Secretary of Labor, transmitting, pursuant to law, a report entitled "The Department of Labor's 2001 Findings on the Worst Forms of Child Labor"; to the Committee on Finance.

EC-7470. A message from the President of the United States, transmitting, pursuant to law, Presidential Determination Number 2002-20, relative to Vietnam; to the Committee on Finance.

EC-7471. A communication from the Secretary of Veterans Affairs, transmitting, a draft of proposed legislation entitled "Veteran's Programs Amendments Act of 2002"; to the Committee on Veterans' Affairs.

EC-7472. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to section 402(a) of the USA-PATRIOT Act (P.L. 107-56), the report of final regulations "to implement procedures for the taking of fingerprints" and "to establish the conditions for the use of the information received from the Federal Bureau of Investigation" in order to protect security and confidentiality of that information; to the Committee on Foreign Relations.

EC-7473. A communication from the Assistant Administrator for Human Resources and Education, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a vacancy and a nomination for the position of Inspector General; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-250. A joint resolution adopted by the Legislature of the State of Wyoming relative to judicial taxation; to the Committee on the Judiciary.

JOINT RESOLUTION NO. 2

Whereas, separation of powers is fundamental to the United States Constitution and the power of the federal government is strictly limited; and

Whereas, under the United States Constitution, the states are to determine public policy; and

Whereas, it is the duty of the judiciary to interpret the law, not to create law; and

Whereas, federal district courts, with the acquiescence of the United States Supreme Court, continue to order states to levy or increase taxes in violation of the United States Constitution and the legislative process; and

Whereas, the time has come for the people of this great nation and their duly elected representatives in state government, to reaffirm, in no uncertain terms, that the authority to tax under the Constitution of the United States is retained by the people who, by their consent alone, do delegate such power to tax explicitly to those duly elected representatives in the legislative branch of government whom they choose, such representatives being directly responsible and accountable to those who have elected them; and

Whereas, several states have petitioned the United States Congress to propose an amendment to the Constitution of the United States of America which was previously introduced in Congress; and

Whereas, the amendment seeks to prevent federal courts from levying or increasing taxes without representation of the people and against the people's wishes: Now, therefore, be it

Resolved by the Members of the Legislature of the State of Wyoming:

1. That the Congress of the United States expeditiously propose and submit to the Legislatures of the several States for ratification an amendment to the Constitution of the United States to add a new article providing as follows: "Neither the Supreme Court nor any inferior court of the United States shall have the power to instruct or order a state or a political subdivision thereof, or an official of such a state or political subdivision, to levy or increase taxes."

2. That this resolution constitutes a continuing application in accordance with Article V of the Constitution of the United States.

3. That the Legislatures of each of the several states comprising the United States are urged to apply to the United States Congress requesting that the referenced amendment to the United States Constitution be submitted to the states for ratification.

4. That the Secretary of State transmit copies of this resolution to the President of the United States Senate, the Speaker of the House of Representatives of the United States, each Member of the Wyoming Congressional Delegation, and the Secretary of State and the presiding officers of both Houses of the Legislatures of each of the other States in the Union.

POM-251. A joint resolution adopted by the Legislature of the State of Wyoming relative to a health care pilot program for the Arapahoe and Shoshone Tribes on the Wind River Reservation; to the Committee on Appropriations.

JOINT RESOLUTION No. 1

Whereas, the United States government has historically, by treaty, accepted responsibility for the health care services of the Arapahoe and Shoshone tribal members;

Whereas, there exists a growing health care disparity between tribal members and other groups in Wyoming;

Whereas, inflation has eroded the purchasing power of the Indian Health Service appropriation and Indian health care service costs have increased substantially in the last ten (10) years but federal funding for that care has remained essentially the same;

Whereas, Indian health contract care has financially impacted the quality of medical

care and services provided, the quality of health facilities available and provided an economic boost to communities surrounding the Wind River Reservation and this impact needs to be studied: Now, therefore, be it

Resolved by the members of the Legislature of the State of Wyoming:

Section 1. That the Wyoming State Legislature endorses the establishment of a tribal health care services pilot program to study these areas of concern.

Section 2. That the Wyoming State Legislature strongly encourages the United States to appropriate monies for the establishment of a tribal health care services pilot program on the Wind River Reservation.

Section 3. That the Wyoming State Legislature strongly encourages the United States to appropriate monies to adequately pay for the increased costs of tribal health care because it affects the level and quality of health care available to, and provided for, all citizens in Fremont, Hot Springs and Natrona Counties.

Section 4. That the Secretary of State of Wyoming transmit copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress.

POM-252. A joint resolution adopted by the Legislature of the State of Maine relative to restore equitable distribution of federal highway funding to states and municipalities; to the Committee on Appropriations.

JOINT RESOLUTION

Whereas, states and municipalities depend heavily upon federal money to supplement transportation projects; and

Whereas, Maine's highway fund is already facing a \$40,000,000 structural gap; and

Whereas, Maine is a rural state and depends heavily on its roads, bridges and highways for transporting consumer goods to the marketplace; and

Whereas, states and municipalities are set to lose 11% of anticipated transportation funding; and

Whereas, maintaining vital state and national infrastructure should take priority over alternative pet projects: Now, therefore, be it

Resolved, That We, your Memorialists, respectfully urge the President of the United States and the Congress of the United States to restore the federal highway funding commitment to states and municipalities and to pursue equitable and fair distribution of federal dollars for transportation ventures; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of the Maine Congressional Delegation.

POM-253. A resolution adopted by the Senate of the General Assembly of the Commonwealth of Pennsylvania relative to the rights of women in Afghanistan; to the Committee on Foreign Relations.

SENATE RESOLUTION

Whereas, During the past four years, the Taliban had gained military control over virtually all of Afghanistan; and

Whereas, The Taliban's earliest action upon establishing rule in Kabul was to impose strict segregation of clinics and hospitals by gender and to prohibit access by women and girls; and

Whereas, The Taliban had prohibited most women from working, required the wearing of an enveloping burqa on pain of punish-

ment, denies girls access to schooling, prohibited women from leaving their homes without a close male family member for escort and imposed other draconian restrictions on women's mobility and access to humanitarian aid, health care and education; and

Whereas, A full-length study of the effects of the Taliban's policies on women's health and human rights, conducted by the human rights organization Physicians for Human Rights (PHR), was published in the August 1998 edition of the Journal of the American Medical Association; and

Whereas, The study, which has been revisited and updated in 1999 and 2000, showed that 81% of respondents reported a decline in their mental health, 42% met the criteria for post-traumatic stress disorder, 97% met the criteria for major depression and 86% demonstrated significant symptoms of anxiety; and

Whereas, The women interviewed by PHR overwhelmingly rejected the Taliban's interpretation of Islam and of Afghan history and culture and expressed their strong support for women's equality and immediate access to health care and education; and

Whereas, In July 1998, the Taliban ordered all humanitarian nongovernmental organizations out of Afghanistan for refusing to move their living quarters into a facility on the outskirts of Kabul which lacked water and electricity; and

Whereas, The vicious and unprecedented attack on the United States on September 11, 2001, that resulted in thousands upon thousands of deaths of American citizens, has been linked to the Taliban; and

Whereas, Subsequent attacks on Afghanistan by the United States Armed Forces as well as civil unrest between Afghan factions have led to the fall of the Taliban in some Afghan cities, including Kabul; and

Whereas, The new Afghan government has made efforts to restore the voice of Afghan women by naming two women to cabinet-level positions, including Health Minister and the Minister of Women's Affairs; and

Whereas, While these very recent developments in Afghanistan seem to indicate a movement toward establishing women's rights and restoring their civil liberties, a great deal of time and money needs to be invested to elevate the status of women and to allow them full participation in society: Therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania condemn the Taliban's discrimination against women; and be it further

Resolved, That the Senate of the Commonwealth of Pennsylvania memorialize the President and the Congress of the United States to publicly disapprove of these atrocities, take whatever steps necessary to end the discrimination and violence against women and urge the full restoration of their rights; and be it further

Resolved, That the Senate of Pennsylvania urge the United States Government, as well as the United Nation's humanitarian organizations, to provide whatever assistance may be necessary to the new government of Afghanistan for the purpose of restoring the rights of Afghan women; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-254. A concurrent resolution adopted by the Senate of the Legislature of the State of Michigan relative to the addition of Estonia, Latvia, and Lithuania into the North Atlantic Treaty Organization; to the Committee on Foreign Relations.

SENATE CONCURRENT RESOLUTION NO. 6

Whereas, For more than fifty years, the North Atlantic Treaty Organization (NATO) has played a pivotal role in promoting stability and peace in Europe. This highly successful venture is predicated on the commitment of its member nations to ideals that closely parallel the precepts of democracy, internationally recognized human rights, and civilian control of the military that are fundamental to the United States; and

Whereas, Since its establishment, NATO has gradually expanded its membership to reflect the changing face of Europe. Countries that have joined this alliance have shared the same commitment to the long-term strength and stability of the region that is vital to our nation and the world. The most recent additions have in common the peaceful transition to a free-market economy after long years under the yoke of Communism; and

Whereas, The Baltic nations of Latvia, Estonia, and Lithuania have clearly demonstrated the principles of NATO. These three countries, each with strong dedication to peace and exemplary records of resisting oppression, have a great deal to contribute to the alliance. Latvia, Estonia, and Lithuania have set examples of the ideals of freedom through their institutions and cultures. The addition of these nations to NATO will only make more secure the bonds of peace and democracy: Now, therefore, be it

Resolved by the senate (the house of representatives concurring), That we memorialize the President and the Congress of the United States to support the addition of Estonia, Latvia, and Lithuania into the North Atlantic Treaty Organization; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-255. A resolution adopted by the Senate of the Legislature of the State of Virginia relative to women in Afghanistan; to the Committee on Foreign Relations.

SENATE RESOLUTION NO. 603

Whereas, The Taliban regime has not recognized international human rights treaties agreed to by previous governments and the international community, citing irrelevance to its culture and Islamic law; and

Whereas, Under Taliban rule, Afghan women have been subjected to a brutal system of gender apartheid and extreme repression, including being banned from schools, prohibited from working, forbidden from leaving their homes and being forced to wear head-to-toe burka shrouds; and

Whereas, Afghan women have been subjected to harsh punishments in the form of public beatings in the name of "religion and culture" upon violation of Taliban decrees; and

Whereas, These decrees have caused a virtual collapse of the educational system, a complete disregard of human and civil rights and have had a disastrous impact on health care systems in Afghanistan; and

Whereas, These decrees represent a striking departure from past religious and cultural practices in Afghanistan; and

Whereas, The United Nations General Assembly adopted the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1979; and

Whereas, The United States became a party to CEDAW but never ratified the convention; and

Whereas, There have been 16 ratifications and accessions of CEDAW including Iraq,

Egypt, Saudi Arabia, Germany, Great Britain and Canada, with the most recent country, Mauritania, ratifying CEDAW on May 10, 2001; and

Whereas, Notable exceptions of countries not yet ratifying CEDAW besides the United States include Iran and Afghanistan; and

Whereas, The United States has joined with the United Nations in attempting to include women in all aspects of the humanitarian, reconstruction and redevelopment efforts in Afghanistan as well as in the reestablishment of a constitutional democracy in Afghanistan; and

Whereas, After years of being subjected and brutally repressed by the Taliban regime, Afghan women should enjoy full and equal participation in every level of Afghan society without discrimination: Therefore, be it

Resolved by the Senate, That the Senate hereby urges the government of the United States ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women; and be it further

Resolved, That the senate hereby urges the government of the United States accelerate and strengthen efforts to ensure that Afghan women have a full and equal role in every aspect of the reconstruction process and the reestablishment of a constitutional democracy in post-Taliban Afghanistan in which women have full and equal civil and human rights and social justice; and be it further

Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the President of the United States, the Speaker of the United States House of Representatives and the President of the United States Senate.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JEFFORDS, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 1917: A bill to provide for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st Century. (Rept. No. 107-163).

By Mr. JEFFORDS, from the Committee on Environment and Public Works, without amendment and an amendment to the title:

S. 2024: A bill to amend title 23, United States Code, to authorize use of electric personal assistive mobility device on trails and pedestrian walkways constructed or maintained with Federal-aid highway funds. (Rept. No. 107-164).

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. CORZINE (for himself, Mr. TORRICELLI, and Mr. KENNEDY):

S. 2628. A bill to amend part A of title IV of the Social Security Act to require a State to promote financial education under the temporary assistance to needy families program and to allow financial education to count as a work activity under that program; to the Committee on Finance.

By Mr. DASCHLE (for Mr. TORRICELLI):

S. 2629. A bill to provide for an agency assessment, independent review, and Inspector General report on privacy and data protection policies of Federal agencies, and for other purposes; to the Committee on Governmental Affairs.

By Mr. INOUE:

S. 2630. A bill to amend title 38, United States Code, to improve benefits for Filipino veterans of World War II and surviving spouses of such veterans, and for other purposes; to the Committee on Veterans' Affairs.

ADDITIONAL COSPONSORS

S. 198

At the request of Mr. CRAIG, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. 198, a bill to require the Secretary of the Interior to establish a program to provide assistance through States to eligible weed management entities to control or eradicate harmful, nonnative weeds on public and private land.

S. 1114

At the request of Mr. SPECTER, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 1114, a bill to amend title 38, United States Code, to increase the amount of educational benefits for veterans under the Montgomery GI Bill.

S. 1785

At the request of Mr. CLELAND, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1785, a bill to urge the President to establish the White House Commission on National Military Appreciation Month, and for other purposes.

S. 2025

At the request of Mr. HUTCHINSON, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor 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. 2053

At the request of Mr. FRIST, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 2053, a bill to amend the Public Health Service Act to improve immunization rates by increasing the distribution of vaccines and improving and clarifying the vaccine injury compensation program, and for other purposes.

S. 2070

At the request of Mr. BINGAMAN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 2070, a bill to amend part A of title IV to exclude child care from the determination of the 5-year limit on assistance under the temporary assistance to needy families program, and for other purposes.

S. 2210

At the request of Mr. BIDEN, the name of the Senator from Minnesota

(Mr. WELLSTONE) was added as a cosponsor of S. 2210, a bill to amend the International Financial Institutions Act to provide for modification of the Enhanced Heavily Indebted Poor Countries (HIPC) Initiative.

S. 2215

At the request of Mrs. BOXER, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 2215, a bill to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil, and by so doing hold Syria accountable for its role in the Middle East, and for other purposes.

S. 2239

At the request of Mr. SARBANES, the names of the Senator from Georgia (Mr. MILLER) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. 2239, a bill to amend the National Housing Act to simplify the downpayment requirements for FHA mortgage insurance for single family homebuyers.

S. 2246

At the request of Mr. DODD, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 2246, a bill to improve access to printed instructional materials used by blind or other persons with print disabilities in elementary and secondary schools, and for other purposes.

S. 2250

At the request of Mr. CORZINE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2250, a bill to amend title 10, United States Code, to reduce the age for receipt of military retired pay for nonregular service from 60 to 55.

S. 2428

At the request of Mr. KERRY, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2428, a bill to amend the National Sea Grant College Program Act.

S. 2471

At the request of Ms. CANTWELL, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2471, a bill to provide for the independent investigation of Federal wildland firefighter fatalities.

S. 2482

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2482, a bill to direct the Secretary of the Interior to grant to Deschutes and Crook Counties in the State of Oregon a right-of-way to West Butte Road.

S. 2490

At the request of Mr. TORRICELLI, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors 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. 2570

At the request of Ms. COLLINS, the name of the Senator from Georgia (Mr. CLELAND) 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 Maryland (Mr. SARBANES) 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. 2591

At the request of Ms. MIKULSKI, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Vermont (Mr. JEFFORDS) were added as cosponsors of S. 2591, a bill to reauthorize the Mammography Quality Standards Act, and for other purposes.

S. 2611

At the request of Mr. REED, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2611, a bill to reauthorize the Museum and Library Services Act, and for other purposes.

S. 2626

At the request of Mr. KENNEDY, the names of the Senator from Rhode Island (Mr. CHAFEE) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 2626, a bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORZINE (for himself, Mr. TORRICELLI, and Mr. KENNEDY):

S. 2628. A bill to amend part A of title IV of the Social Security Act to require a State to promote financial education under the temporary assistance to needy families program and to allow financial education to count as a work activity under that program; to the Committee on Finance.

Mr. CORZINE. Mr. President, I rise today with my colleagues Senators TORRICELLI and KENNEDY to introduce the Financial Literacy for Self-Sufficiency Act.

Our bill would require states to promote financial education through their TANF, Temporary Assistance to Needy Families, programs. Financial education, education that promotes an understanding of consumer, and personal finance concepts, is extremely important for all families, and is especially important for low-income families who are moving from welfare to work.

While TANF focuses on moving families off cash assistance and into work, it fails to provide recipients with the tools they need to maximize their earn-

ings and manage their expenses in order to achieve financial stability once they are employed. If we truly expect to move these families to achieve financial independence, we must give them the tools they will need to make that transition.

One of these tools is a bank account. Millions of low-income families remain outside of the formal banking system, with many of them spending too much of their hard-earned dollars at costly check cashing operations. In fact, more than eight million families earning under \$25,000 a year lack a checking or savings account. A study conducted by the United States Department of the Treasury in 2000 found that a worker earning \$12,000 a year would pay approximately \$250 a year just to cash their payroll checks at such an outlet. And, nearly 16 percent of the checks cashed at check cashing outlets are government benefits checks, including welfare benefit checks.

In addition to expanding the number of banks that do business in low-income communities, educating low-income unbanked families about the benefits of formal checking and savings accounts can significantly improve access to financial services.

But, financial education isn't just about bank accounts and savings. It is also about protecting low-income families from predatory lending and devastating credit arrangements. Financial education that addresses abusive lending practices can help prevent unaffordable loan payments, equity stripping, and foreclosure. I strongly support legislative efforts to end predatory lending practices in our country, but until we do, ensuring that consumers are aware of unfair and abusive loan terms is a measure that will provide them some protection from these tactics.

Finally, families leaving welfare for work face many challenges, including securing child care and transportation. One challenge that often is not mentioned, however, is the challenge of transitioning from a benefits-based income to a wage income. Financial literacy programs that educate families transitioning from welfare to work about taxes and tax benefits that they may be eligible for, such as the Department Care Tax Credit and the Earned Income Tax Credit, will ensure that they have access to these important work benefits.

The Financial Literacy for Self-Sufficiency Act will allow states to use their TANF funds to collaborate with community-based organizations, banks, and community colleges to create financial education programs for low-income families receiving welfare and for those transitioning from welfare to work. As Federal Reserve Chairman Alan Greenspan has noted, "Educational and training programs may be the most critical service offered by community-based organizations to enhance the ability of lower-income households to accumulate assets."

I hope members of the Senate Finance Committee will join my colleagues Senator TORRICELLI and Senator KENNEDY and me in promoting financial education for our nation's TANF recipients when they act to create a reauthorization framework for our Nation's welfare program.

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. 2628

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "TANF Financial Education Promotion Act of 2002".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Most recipients of assistance under the temporary assistance to needy families program established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) and individuals moving toward self-sufficiency operate outside the financial mainstream, paying high costs to handle their finances and saving little for emergencies or the future.

(2) Currently, personal debt levels and bankruptcy filing rates are high and savings rates are at their lowest levels in 70 years. The inability of many households to budget, save, and invest prevents them from laying the foundation for a secure financial future.

(3) Financial planning can help families meet near-term obligations and maximize their longer-term well being, especially valuable for populations that have traditionally been underserved by our financial system.

(4) Financial education can give individuals the necessary financial tools to create household budgets, initiate savings plans, and acquire assets.

(5) Financial education can prevent vulnerable customers from becoming entangled in financially devastating credit arrangements.

(6) Financial education that addresses abusive lending practices targeted at specific neighborhoods or vulnerable segments of the population can prevent unaffordable payments, equity stripping, and foreclosure.

(7) Financial education speaks to the broader purpose of the temporary assistance to needy families program to equip individuals with the tools to succeed and support themselves and their families in self-sufficiency.

SEC. 3. REQUIREMENT TO PROMOTE FINANCIAL EDUCATION UNDER TANF.

(a) STATE PLAN.—Section 402(a)(1)(A) of the Social Security Act (42 U.S.C. 602(a)(1)(A)) is amended by adding at the end the following:

"(vii) Establish goals and take action to promote financial education, as defined in section 407(j), among parents and caretakers receiving assistance under the program through collaboration with community-based organizations, financial institutions, and the Cooperative State Research, Education, and Extension Service of the Department of Agriculture."

(b) INCLUSION OF FINANCIAL EDUCATION AS A WORK ACTIVITY.—Section 407 of the Social Security Act (42 U.S.C. 607) is amended—

(1) in subsection (c)(1)—

(A) in subparagraph (A), by striking "or (12)" and inserting "(12), or (13)"; and

(B) in subparagraph (B), by striking "or (12)" and inserting "(12), or (13)";

(2) in subsection (d)—

(A) in paragraph (11), by striking "and" at the end;

(B) in paragraph (12), by striking the period and inserting "and"; and

(C) by adding at the end the following:

"(13) financial education, as defined in subsection (j)."; and

(3) by adding at the end the following:

"(j) DEFINITION OF FINANCIAL EDUCATION.—In this part, the term 'financial education' means education that promotes an understanding of consumer, economic, and personal finance concepts, including the basic principles involved with earning, budgeting, spending, saving, investing, and taxation."

(c) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 2002.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3850. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table.

SA 3851. Mr. LEAHY (for himself and Mr. JEFFORDS) submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3852. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3853. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3854. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3855. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3856. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3857. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3858. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3859. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3860. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3861. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3862. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3863. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3864. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3865. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3866. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3867. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3868. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3869. Mr. HATCH (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3870. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3871. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3872. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3873. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3874. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3875. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3876. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3877. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3878. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3879. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3880. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3881. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3882. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3883. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3884. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3885. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3886. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3887. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3888. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3889. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

SA 3890. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, supra; which was ordered to lie on the table.

TEST OF AMENDMENTS

SA 3850. Mr. McCONNELL submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 30, after line 17, insert the following:

(f) **LIMITATIONS ON DAMAGES AND ATTORNEYS' FEES.**—In any action brought under subsection (a), reasonable attorneys' fees for work performed shall be subject to the discretion of the court, but in no event shall any attorney charge, demand, receive, or collect for services rendered, fees or compensation in an amount in excess of 25 percent of the damages ordered by the court to be paid under this section, or in excess of 20 percent of any court-approved settlement made of any claim cognizable under this section, and any attorney who charges, demands, receives, or collects for services rendered in connection with such claim any amount in excess of that allowed under this section, if recovery be had, shall be fined not more than \$2,000 or imprisoned not more than 1 year, or both.

SA 3851. Mr. LEAHY (for himself and Mr. JEFFORDS) submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 14, line 9, insert before "but" the following: "or that had an application pending under applicable State law on September 11, 2001."

SA 3852. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 30, after line 17, add the following:

TITLE _____—HOLOCAUST VICTIMS INSURANCE RELIEF

SEC. 01. SHORT TITLE.

This title may be cited as the "Holocaust Victims Insurance Relief Act of 2002".

SEC. 02. FINDINGS AND PURPOSE.

(a) **FINDINGS.**—Congress finds the following:

(1) The Holocaust, including the murder of 6,000,000 European Jews, the systematic destruction of families and communities, and the wholesale theft of their assets, was one of the most tragic crimes in modern history.

(2) When Holocaust survivors or heirs of Holocaust victims presented claims to insurance companies after World War II, many were rejected because the claimants did not have death certificates or physical posses-

sion of policy documents that had been confiscated by the Nazis.

(3) In many instances, insurance company records are the only proof of the existence of insurance policies belonging to Holocaust victims.

(4) Holocaust survivors and their descendants have been fighting for decades to persuade insurance companies to settle unpaid insurance claims.

(5) In 1998, the International Commission on Holocaust Era Insurance Claims (in this section referred to as the "ICHEIC") was established by the National Association of Insurance Commissioners in cooperation with several European insurance companies, European regulators, representatives of international Jewish organizations, and the State of Israel, to expeditiously address the issue of unpaid insurance policies issued to Holocaust victims.

(6) On July 17, 2000, the United States and Germany signed an Executive Agreement in support of the German Foundation "Rememberance, Responsibility, and the Future", which designated the ICHEIC to resolve all insurance claims that were not paid or were nationalized during the Nazi era.

(7) The ICHEIC will not accept claims applications received after September 30, 2002.

(8) Three years into the process of addressing the issue of unpaid insurance policies, companies continue to withhold thousands of names on dormant accounts.

(9) As of June 15, 2001, more than 84 percent of the 72,675 claims applications filed with the ICHEIC remained idle because the claimants could not identify the company holding the policy.

(10) Insurance companies doing business in the United States have a responsibility to ensure the disclosure of insurance policies of Holocaust victims that they or their related companies may have issued, to facilitate the rapid resolution of questions concerning these policies, and to eliminate the further victimization of policyholders and their families.

(11) State legislatures in California, Florida, New York, Minnesota, Washington, and elsewhere have been challenged in efforts to implement laws that restrict the ability of insurers to engage in business transactions in those States until the insurers publish the names of Holocaust-era policyholders.

(b) **PURPOSE.**—The purpose of this title is to provide information about Holocaust-era insurance policies to Holocaust victims and their heirs and beneficiaries to enable them to expeditiously file their rightful claims under the policies.

SEC. 03. HOLOCAUST INSURANCE REGISTRY.

(a) **ESTABLISHMENT AND MAINTENANCE.**—Chapter 21 of title 44, United States Code, is amended by adding at the end the following: "**§ 2119. Holocaust Insurance Registry**

"(a) **ESTABLISHMENT.**—The Archivist shall establish and maintain a collection of records that shall—

"(1) be known as the Holocaust Insurance Registry; and

"(2) consist of the information provided to the Archivist under section 05 of the Holocaust Victims Insurance Relief Act of 2002.

"(b) **PUBLIC ACCESSIBILITY.**—The Archivist shall make all such information publicly accessible and searchable by means of the Internet and by any other means the Archivist deems appropriate."

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 21 of title 44, United States Code, is amended by adding at the end the following: "**2119. Holocaust Insurance Registry.**"

SEC. 04. FULL DISCLOSURE OF HOLOCAUST-ERA POLICIES BY INSURERS.

(a) **REQUIREMENT.**—In accordance with subsection (b), an insurer shall file a report with

the Secretary of the Treasury and the Secretary of State that contains the following information:

(1) The first name, last name, date of birth, and domicile of the policyholder of each covered policy issued by the insurer or a related company of the insurer.

(2) The name of the entity that issued the covered policy.

(3) The name of the entity that is responsible for the liabilities of the entity that issued the covered policy.

(4) The extent to which claims made under each covered policy have been paid.

(b) **PROPER FILING.**—A filing under subsection (a) shall be made not later than the earlier of 30 days after the date of the enactment of this Act or September 1, 2002, in an electronic format approved jointly by the Archivist of the United States and the Secretary of the Treasury.

SEC. 05. PROVISION OF INFORMATION TO ARCHIVIST.

The Secretary of the Treasury shall provide to the Archivist of the United States any information filed with the Secretary under section 04(a) promptly after the filing of such information.

SEC. 06. PENALTY.

The Secretary of the Treasury shall assess a civil penalty of not less than \$5,000 for each day that an insurer fails to comply with the requirements of section 04, as determined by the Secretary.

SEC. 07. USE OF AMOUNTS RECEIVED AS CIVIL PENALTIES.

To the extent or in the amounts provided in advance in appropriation Acts, the Archivist of the United States may use amounts received by the Government as civil penalties under section 06 to maintain the Holocaust Insurance Registry.

SEC. 08. NOTIFICATION.

(a) **INITIAL NOTIFICATION.**—Not later than 60 days after the date of enactment of this Act and periodically thereafter, the Secretary of the Treasury shall notify the commissioner of insurance of each State of the identity of each insurer that has failed to comply with the requirements of section 04 or has not satisfied any civil penalty for which the insurer is liable under section 06.

(b) **REQUESTS BY STATES.**—On request by the commissioner of insurance of a State concerning an insurer operating in that State, the Secretary of the Treasury shall inform the commissioner of insurance whether the insurer has failed to comply with the requirements of section 04 or has not satisfied any civil penalty for which the insurer is liable under section 06.

SEC. 09. STATE HOLOCAUST CLAIMS REPORTING STATUTES.

(a) **PREEMPTION.**—Nothing in this Act preempts the right of any State to adopt or enforce any State law requiring an insurer to disclose information regarding insurance policies that may have been confiscated or stolen from victims of Nazi persecution.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) if any litigation challenging any State law described in subsection (a) is dismissed because the commissioner of insurance of the State chooses to rely on this Act and no longer seeks to enforce the State law, each party should bear its own legal fees and costs; and

(2) ICHEIC should extend its deadline for accepting applications to resolve unpaid claims against covered policies until January 1, 2003.

SEC. 10. DEFINITIONS.

In this Act:

(1) **COMMISSIONER OF INSURANCE.**—The term "commissioner of insurance" means the

highest ranking officer of a State responsible for regulating insurance.

(2) COVERED POLICY.—The term “covered policy” means any life, dowry, education, or property insurance policy that was—

(A) in effect at any time after January 30, 1933, and before December 31, 1945; and

(B) issued to a policyholder domiciled in any area of the European Continent that was occupied or controlled by Nazi Germany or by any ally or sympathizer of Nazi Germany at any time during the period described in subparagraph (A).

(3) INSURER.—The term “insurer” means any person engaged in the business of insurance in United States interstate or foreign commerce, if the person or a related company of the person issued a covered policy, regardless of when the related company became a related company of the insurer.

(4) RELATED COMPANY.—The term “related company” means an affiliate, as that term is defined in section 104(g) of the Gramm-Leach-Bliley Act.

SA 3853. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 9, line 5, strike “21” and insert “28”.

SA 3854. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 9, line 5, strike “21” and insert “25”.

SA 3855. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 9, line 5, strike “21” and insert “29”.

SA 3856. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 9, line 5, strike “21” and insert “30”.

SA 3857. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 9, line 5, strike “21” and insert “27”.

SA 3858. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 27, strike lines 9 through 20 and insert the following:

“Act; and

“(B) during the period beginning on the”.

SA 3859. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 27, lines 14 and 15, strike “prior approval or”.

SA 3860. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 27, lines 14 and 15, strike “to prior approval or a waiting period” and insert “to a waiting period greater than 60 days”.

SA 3861. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 27, lines 14 and 15, strike “to prior approval or a waiting period” and insert “to a waiting period of excessive duration”.

SA 3862. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 29, strike line 1 and all that follows through page 30, line 17, and insert the following:

SEC. 10. PROCEDURES FOR CIVIL ACTIONS.

(a) FEDERAL CAUSE OF ACTION.—

(1) IN GENERAL.—There shall exist a Federal cause of action for claims arising out of or resulting from an act of terrorism, which shall be the exclusive cause of action and remedy for such claims, except as provided in subsection (f).

(2) PREEMPTION OF STATE ACTIONS.—All State causes of action of any kind for claims arising out of or resulting from an act of terrorism that are otherwise available under State law, are hereby preempted, except as provided in subsection (f).

(b) GOVERNING LAW.—The substantive law for decision in an action described in subsection (a)(1) shall be derived from the law, including applicable choice of law principles, of the State in which the act of terrorism giving rise to the action occurred, except to the extent that—

(1) the law, including choice of law principles, of another State is determined to be applicable to the action by the district court hearing the action; or

(2) otherwise applicable State law (including that determined under paragraph (1), is inconsistent with or otherwise preempted by Federal law.

(c) FEDERAL JURISDICTION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, not later than 90 days after the date of the occurrence of an act of terrorism, the Judicial Panel on Multidistrict Litigation shall assign a single Federal district court to conduct pretrial and trial proceedings in all pending and future civil actions for claims arising out of or resulting from that act of terrorism.

(2) SELECTION CRITERIA.—The Judicial Panel on Multidistrict Litigation shall select and assign the district court under para-

graph (1) based on the convenience of the parties and the just and efficient conduct of the proceedings.

(3) JURISDICTION.—The district court assigned by the Judicial Panel on Multidistrict Litigation shall have original and exclusive jurisdiction over all actions under paragraph (1). For purposes of personal jurisdiction, the district court assigned by the Judicial Panel on Multidistrict Litigation shall be deemed to sit in all judicial districts in the United States.

(4) TRANSFER OF CASES FILED IN OTHER FEDERAL COURTS.—Any civil action for claims arising out of or resulting from an act of terrorism that is filed in a Federal district court other than the Federal district court assigned by the Judicial Panel on Multidistrict Litigation under paragraph (1) shall be transferred to the Federal district court so assigned.

(5) REMOVAL OF CASES FILED IN STATE COURTS.—Any civil action for claims arising out of or resulting from an act of terrorism that is filed in a State court shall be removable to the Federal district court assigned by the Judicial Panel on Multidistrict Litigation under paragraph (1).

(d) APPROVAL OF SETTLEMENTS.—Any settlement between the parties of a civil action described in this section for claims arising out of or resulting from an act of terrorism shall be subject to prior approval by the Secretary after consultation by the Secretary with the Attorney General.

(e) LIMITATION ON DAMAGES.—

(1) IN GENERAL.—Punitive or exemplary damages shall not be available for any losses in any action described in subsection (a)(1), including any settlement described in subsection (d), except where—

(A) punitive or exemplary damages are permitted by applicable State law; and

(B) the harm to the plaintiff was caused by a criminal act or course of conduct for which the defendant was convicted under Federal or State criminal law, including a conviction based on a guilty plea or plea of nolo contendere.

Conviction under subparagraph (B) shall establish liability for punitive or exemplary damages resulting from the harm referred to in subparagraph (B) and the assessment of such damages shall be determined in a civil lawsuit.

(2) PROTECTION OF TAXPAYER FUNDS.—Any amounts awarded in, or granted in settlement of, an action described in subsection (a)(1) that are attributable to punitive or exemplary damages allowable under paragraph (1) of this subsection shall not count as insured losses for purposes of this Act.

(f) CLAIMS AGAINST TERRORISTS.—Nothing in this section shall in any way be construed to limit the ability of any plaintiff to seek any form of recovery from any person, government, or other entity that was a participant in, or aider and abettor of, any act of terrorism.

(g) EFFECTIVE PERIOD.—This section shall apply only to actions described in subsection (a)(1) arising out of or resulting from acts of terrorism that occur during the effective period of the Program, including any applicable extension period.

SEC. 11. CRIMINAL OFFENSE FOR AIDING OR FACILITATING A TERRORIST INCIDENT.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding at the end the following:

“§ 2339C. Aiding and facilitating a terrorist incident

“(a) OFFENSE.—Whoever, acting with willful and malicious disregard for the life or

safety of others, by such action leads to, aggravates, or is a cause of property damage, personal injury, or death resulting from an act of terrorism as defined in section 3 of the Terrorism Risk Insurance Act of 2002 shall be subject to a fine not more than \$10,000,000 or imprisoned not more than 15 years, or both.

“(b) PRIVATE RIGHT OF ACTION.—Any person may request the Attorney General to initiate a criminal prosecution pursuant to subsection (a). In the event the Attorney General refuses, or fails to initiate such a criminal prosecution within 90 days after receiving a request, upon petition by any person, the appropriate United States District Court shall appoint an Assistant United States attorney pro tempore to prosecute an offense described in subsection (a) if the court finds that the Attorney General abused his or her discretion by failing to prosecute.”.

(b) CHAPTER ANALYSIS.—The chapter analysis for chapter 113B of title 18, United States Code, is amended by adding at the end the following:

“2399C. Aiding and facilitating a terrorist incident.”.

SA 3863. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

Beginning on page 9, line 13, strike all through page 16, line 9, and insert in lieu thereof the following:

(7) PERSON.—The term “person” means any individual, business or nonprofit entity (including those organized in the form of a partnership, limited liability company, corporation, or association), trust or estate, or a State or political subdivision of a State or other governmental unit.

(8) PROGRAM.—The term “Program” means the Terrorism Insured Loss Shared Compensation Program established by this Act.

(9) PROPERTY AND CASUALTY INSURANCE.—The term “property and casualty insurance”—

(A) means commercial lines of property and casualty insurance;

(B) includes personal lines of property and casualty insurance, if a notification is made in accordance with paragraph (6)(B); and

(C) does not include—

(i) Federal crop insurance issued or reinsured under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); or

(ii) private mortgage insurance, as that term is defined in section 2 of the Homeowners Protection Act of 1998 (12 U.S.C. 4901).

(10) SECRETARY.—The term “Secretary” means the Secretary of the Treasury.

(11) STATE.—The term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and each of the United States Virgin Islands.

(12) UNITED STATES.—The term “United States” means all States of the United States.

SEC. 4. TERRORISM INSURED LOSS SHARED COMPENSATION PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—There is established in the Department of the Treasury the Terrorism Insured Loss Shared Compensation Program.

(2) AUTHORITY OF THE SECRETARY.—Notwithstanding any other provision of State or Federal law, the Secretary shall administer the Program, and shall pay the Federal share of compensation for insured losses in accordance with subsection (e).

(b) CONDITIONS FOR FEDERAL PAYMENTS.—No payment may be made by the Secretary under subsection (e), unless—

(1) a person that suffers an insured loss, or a person acting on behalf of that person, files a claim with a participating insurance company;

(2) the participating insurance company provides clear and conspicuous disclosure to the policyholder of the premium charged for insured losses covered by the Program and the Federal share of compensation for insured losses under the Program—

(A) in the case of any policy covering an insured loss that is issued on or after the date of enactment of this Act, in the policy, at the time of offer, purchase, and renewal of the policy; and

(B) in the case of any policy that is issued before the date of enactment of this Act, not later than 90 days after that date of enactment;

(3) the participating insurance company processes the claim for the insured loss in accordance with its standard business practices, and any reasonable procedures that the Secretary may prescribe; and

(4) the participating insurance company submits to the Secretary, in accordance with such reasonable procedures as the Secretary may establish—

(A) a claim for payment of the Federal share of compensation for insured losses under the Program;

(B) written verification and certification—

(i) of the underlying claim; and

(ii) of all payments made for insured losses; and

(C) certification of its compliance with the provisions of this subsection.

(c) MANDATORY PARTICIPATION; MANDATORY AVAILABILITY.—Each insurance company that meets the definition of a participating insurance company under section 3—

(1) shall participate in the Program;

(2) shall make available in all of its property and casualty insurance policies (in all of its participating lines), coverage for insured losses; and

(3) shall make available property and casualty insurance coverage for insured losses that does not differ materially from the terms, amounts, and other coverage limitations applicable to losses arising from events other than acts of terrorism.

(d) PARTICIPATION BY SELF INSURED ENTITIES.—

(1) DETERMINATION BY THE SECRETARY.—The Secretary may, in consultation with the NAIC, establish procedures to allow participation in the Program by municipalities and other governmental or quasi-governmental entities (and by any other entity, as the Secretary deems appropriate) operating through self insurance arrangements that were in existence on September 11, 2001, but only if the Secretary makes a determination with regard to participation by any such entity before the occurrence of an act of terrorism in which the entity incurs an insured loss.

(2) PARTICIPATION.—If the Secretary makes a determination to allow an entity described in paragraph (1) to participate in the Program, all reports, conditions, requirements, and standards established by this Act for participating insurance companies shall apply to any such entity, as determined to be appropriate by the Secretary.

(e) SHARED INSURANCE LOSS COVERAGE.—

(1) FEDERAL SHARE.—

(A) IN GENERAL.—Subject to the cap on liability under paragraph (2) and the limitation under paragraph (6), the Federal share of compensation under the Program to be paid by the Secretary for insured losses resulting from an act of terrorism occurring during the period beginning on the date of enactment of this Act and ending at midnight on December 31, 2002, shall be equal to 90 percent of that portion of the amount of

aggregate insured losses that exceeds \$10,000,000,000.

(B) EXTENSION PERIOD.—If the Program is extended in accordance with section 6, the Federal share of compensation under the Program to be paid by the Secretary for insured losses resulting from an act of terrorism occurring during the period beginning on January 1, 2003 and ending at midnight on December 31, 2003, shall be equal to 90 percent of that portion of the amount of aggregate insured losses that exceeds \$20,000,000,000, subject to the cap on liability in paragraph (2) and the limitation under paragraph (6).

SA 3864. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

Beginning on page 9, line 13, strike all line 9 on page 16, and insert in lieu thereof the following:

(7) PERSON.—The term “person” means any individual, business or nonprofit entity (including those organized in the form of a partnership, limited liability company, corporation, or association), trust or estate, or a State or political subdivision of a State or other governmental unit.

(8) PROGRAM.—The term “Program” means the Terrorism Insured Loss Shared Compensation Program established by this Act.

(9) PROPERTY AND CASUALTY INSURANCE.—The term “property and casualty insurance”—

(A) means commercial lines of property and casualty insurance;

(B) includes personal lines of property and casualty insurance, if a notification is made in accordance with paragraph (6)(B); and

(C) does not include—

(i) Federal crop insurance issued or reinsured under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); or

(ii) private mortgage insurance, as that term is defined in section 2 of the Homeowners Protection Act of 1998 (12 U.S.C. 4901).

(10) SECRETARY.—The term “Secretary” means the Secretary of the Treasury.

(11) STATE.—The term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and each of the United States Virgin Islands.

(12) UNITED STATES.—The term “United States” means all States of the United States.

SEC. 4. TERRORISM INSURED LOSS SHARED COMPENSATION PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—There is established in the Department of the Treasury the Terrorism Insured Loss Shared Compensation Program.

(2) AUTHORITY OF THE SECRETARY.—Notwithstanding any other provision of State or Federal law, the Secretary shall administer the Program, and shall pay the Federal share of compensation for insured losses in accordance with subsection (e).

(b) CONDITIONS FOR FEDERAL PAYMENTS.—No payment may be made by the Secretary under subsection (e), unless—

(1) a person that suffers an insured loss, or a person acting on behalf of that person, files a claim with a participating insurance company;

(2) the participating insurance company provides clear and conspicuous disclosure to the policyholder of the premium charged for insured losses covered by the Program and the Federal share of compensation for insured losses under the Program—

(A) in the case of any policy covering an insured loss that is issued on or after the date of enactment of this Act, in the policy, at the time of offer, purchase, and renewal of the policy; and

(B) in the case of any policy that is issued before the date of enactment of this Act, not later than 90 days after that date of enactment;

(3) the participating insurance company processes the claim for the insured loss in accordance with its standard business practices, and any reasonable procedures that the Secretary may prescribe; and

(4) the participating insurance company submits to the Secretary, in accordance with such reasonable procedures as the Secretary may establish—

(A) a claim for payment of the Federal share of compensation for insured losses under the Program;

(B) written verification and certification—

(i) of the underlying claim; and

(ii) of all payments made for insured losses; and

(C) certification of its compliance with the provisions of this subsection.

(c) MANDATORY PARTICIPATION; MANDATORY AVAILABILITY.—Each insurance company that meets the definition of a participating insurance company under section 3—

(1) shall participate in the Program;

(2) shall make available in all of its property and casualty insurance policies (in all of its participating lines), coverage for insured losses; and

(3) shall make available property and casualty insurance coverage for insured losses that does not differ materially from the terms, amounts, and other coverage limitations applicable to losses arising from events other than acts of terrorism.

(d) PARTICIPATION BY SELF INSURED ENTITIES.—

(1) DETERMINATION BY THE SECRETARY.—The Secretary may, in consultation with the NAIC, establish procedures to allow participation in the Program by municipalities and other governmental or quasi-governmental entities (and by any other entity, as the Secretary deems appropriate) operating through self insurance arrangements that were in existence on September 11, 2001, but only if the Secretary makes a determination with regard to participation by any such entity before the occurrence of an act of terrorism in which the entity incurs an insured loss.

(2) PARTICIPATION.—If the Secretary makes a determination to allow an entity described in paragraph (1) to participate in the Program, all reports, conditions, requirements, and standards established by this Act for participating insurance companies shall apply to any such entity, as determined to be appropriate by the Secretary.

(e) SHARED INSURANCE LOSS COVERAGE.—

(1) FEDERAL SHARE.—

(A) IN GENERAL.—Subject to the cap on liability under paragraph (2) and the limitation under paragraph (6), the Federal share of compensation under the Program to be paid by the Secretary for insured losses resulting from an act of terrorism occurring during the period beginning on the date of enactment of this Act and ending at midnight on December 31, 2002, shall be equal to 90 percent of that portion of the amount of aggregate insured losses that exceeds \$10,000,000,000.

(B) EXTENSION PERIOD.—If the Program is extended in accordance with section 6, the Federal share of compensation under the Program to be paid by the Secretary for insured losses resulting from an act of terrorism occurring during the period beginning on January 1, 2003 and ending at midnight on December 31, 2003, shall be equal to 90 percent of that portion of the amount of aggregate

insured losses that exceeds \$10,000,000,000, subject to the cap on liability in paragraph (2) and the limitation under paragraph (6).

SA 3865. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 8, strike lines 13 through line 4 on page 10, and re-number the paragraphs accordingly.

On page 15, strike lines 5 through line 9 on page 16, and insert in lieu thereof the following:

“2002, shall be equal to 90 percent of that portion of the amount of aggregate insured losses that exceeds \$10,000,000,000.

“(B) EXTENSION PERIOD.—If the Program is extended in accordance with section 6, the Federal share of compensation under the Program to be paid by the Secretary for insured losses resulting from an act of terrorism occurring during the period beginning on January 1, 2003 and ending at midnight on December 31, 2003, shall be equal to 90 percent of that portion of the amount of aggregate insured losses that exceeds \$10,000,000,000, subject to the cap on liability in paragraph (2) and the limitation under paragraph (6).”.

SA 3866. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 9, strike lines 13 through line 4 on page 10, and insert in lieu thereof the following:

“(7) Participating insurance company deductible.—The term “participating insurance company deductible” means a participating insurance company’s market share, multiplied by \$10,000,000,000, with respect to insured losses resulting from an act of terrorism occurring during the period beginning on the date of enactment of this Act and ending at midnight on December 31, 2002.”.

On page 16, strike lines 6 through 9, and insert in lieu thereof the following:

“2003, shall be equal to 90 percent of that portion of the amount of aggregate insured losses that exceeds \$10,000,000,000, subject to the cap on liability in paragraph (2) and the limitation under paragraph (6).”.

SA 3867. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

Beginning on page 9, line 13, strike all through page 16, line 9, and insert in lieu thereof the following:

(7) PARTICIPATING INSURANCE COMPANY DEDUCTIBLE.—The term “participating insurance company deductible” means a participating insurance company’s market share, multiplied by \$10,000,000,000, with respect to insured losses resulting from an act of terrorism occurring during the period beginning on the date of enactment of this Act and ending at midnight on December 31, 2002.

(8) PERSON.—The term “person” means any individual, business or nonprofit entity (including those organized in the form of a

partnership, limited liability company, corporation, or association), trust or estate, or a State or political subdivision of a State or other governmental unit.

(9) PROGRAM.—The term “Program” means the Terrorism Insured Loss Shared Compensation Program established by this Act.

(10) PROPERTY AND CASUALTY INSURANCE.—The term “property and casualty insurance”—

(A) means commercial lines of property and casualty insurance;

(B) includes personal lines of property and casualty insurance, if a notification is made in accordance with paragraph (6)(B); and

(C) does not include—

(i) Federal crop insurance issued or reinsured under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); or

(ii) private mortgage insurance, as that term is defined in section 2 of the Homeowners Protection Act of 1998 (12 U.S.C. 4901).

(11) SECRETARY.—The term “Secretary” means the Secretary of the Treasury.

(12) STATE.—The term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and each of the United States Virgin Islands.

(13) UNITED STATES.—The term “United States” means all States of the United States.

SEC. 4. TERRORISM INSURED LOSS SHARED COMPENSATION PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—There is established in the Department of the Treasury the Terrorism Insured Loss Shared Compensation Program.

(2) AUTHORITY OF THE SECRETARY.—Notwithstanding any other provision of State or Federal law, the Secretary shall administer the Program, and shall pay the Federal share of compensation for insured losses in accordance with subsection (e).

(b) CONDITIONS FOR FEDERAL PAYMENTS.—No payment may be made by the Secretary under subsection (e), unless—

(1) a person that suffers an insured loss, or a person acting on behalf of that person, files a claim with a participating insurance company;

(2) the participating insurance company provides clear and conspicuous disclosure to the policyholder of the premium charged for insured losses covered by the Program and the Federal share of compensation for insured losses under the Program—

(A) in the case of any policy covering an insured loss that is issued on or after the date of enactment of this Act, in the policy, at the time of offer, purchase, and renewal of the policy; and

(B) in the case of any policy that is issued before the date of enactment of this Act, not later than 90 days after that date of enactment;

(3) the participating insurance company processes the claim for the insured loss in accordance with its standard business practices, and any reasonable procedures that the Secretary may prescribe; and

(4) the participating insurance company submits to the Secretary, in accordance with such reasonable procedures as the Secretary may establish—

(A) a claim for payment of the Federal share of compensation for insured losses under the Program;

(B) written verification and certification—

(i) of the underlying claim; and

(ii) of all payments made for insured losses; and

(C) certification of its compliance with the provisions of this subsection.

(c) MANDATORY PARTICIPATION; MANDATORY AVAILABILITY.—Each insurance company

that meets the definition of a participating insurance company under section 3—

(1) shall participate in the Program;

(2) shall make available in all of its property and casualty insurance policies (in all of its participating lines), coverage for insured losses; and

(3) shall make available property and casualty insurance coverage for insured losses that does not differ materially from the terms, amounts, and other coverage limitations applicable to losses arising from events other than acts of terrorism.

(d) PARTICIPATION BY SELF INSURED ENTITIES.—

(1) DETERMINATION BY THE SECRETARY.—The Secretary may, in consultation with the NAIC, establish procedures to allow participation in the Program by municipalities and other governmental or quasi-governmental entities (and by any other entity, as the Secretary deems appropriate) operating through self insurance arrangements that were in existence on September 11, 2001, but only if the Secretary makes a determination with regard to participation by any such entity before the occurrence of an act of terrorism in which the entity incurs an insured loss.

(2) PARTICIPATION.—If the Secretary makes a determination to allow an entity described in paragraph (1) to participate in the Program, all reports, conditions, requirements, and standards established by this Act for participating insurance companies shall apply to any such entity, as determined to be appropriate by the Secretary.

(e) SHARED INSURANCE LOSS COVERAGE.—

(1) FEDERAL SHARE.—

(A) IN GENERAL.—Subject to the cap on liability under paragraph (2) and the limitation under paragraph (6), the Federal share of compensation under the Program to be paid by the Secretary for insured losses resulting from an act of terrorism occurring during the period beginning on the date of enactment of this Act and ending at midnight on December 31, 2002—

(i) shall be equal to 80 percent of that portion of the amount of aggregate insured losses that—

(I) exceeds the participating insurance company deductibles required to be paid for those insured losses; and

(II) does not exceed \$10,000,000,000; and

(ii) shall be equal to 90 percent of that portion of the amount of aggregate insured losses that—

(I) exceeds the participating insurance company deductibles required to be paid for those insured losses; and

(II) exceeds \$10,000,000,000.

(B) EXTENSION PERIOD.—If the Program is extended in accordance with section 6, the Federal share of compensation under the Program to be paid by the Secretary for insured losses resulting from an act of terrorism occurring during the period beginning on January 1, 2003 and ending at midnight on December 31, 2003, shall be equal to 90 percent of that portion of the amount of aggregate losses that exceeds \$10,000,000,000, subject to the cap on liability in paragraph (2) and the limitation under paragraph (6).

SA 3868. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 9, strike lines 13 through line 4 on page 10, and re-number the paragraphs accordingly.

On page 15, strike lines 6 through line 9 on page 16 and insert in lieu thereof the following:

“2002, shall be equal to 90 percent of that portion of the amount of aggregate insured losses that exceeds \$10,000,000,000.

“(B) EXTENSION PERIOD.—If the Program is extended in accordance with section 6, the Federal share of compensation under the Program to be paid by the Secretary for insured losses resulting from an act of terrorism occurring during the period beginning on January 1, 2003 and ending at midnight on December 31, 2003, shall be equal to 90 percent of that portion of the amount of aggregate insured losses that exceeds \$20,000,000,000, subject to the cap on liability in paragraph (2) and the limitation under paragraph (6).”.

SA 3869. Mr. HATCH (for himself and Mr. McCONNELL) submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 29, strike line 1 and all that follows through page 30, line 17, and insert the following:

SEC. 10. PROCEDURES FOR CIVIL ACTIONS.

(a) FEDERAL CAUSE OF ACTION.—

(1) IN GENERAL.—There shall exist a Federal cause of action for claims arising out of or resulting from an act of terrorism, which shall be the exclusive cause of action and remedy for such claims, except as provided in subsection (f).

(2) PREEMPTION OF STATE ACTIONS.—All State causes of action of any kind for claims arising out of or resulting from an act of terrorism that are otherwise available under State law, are hereby preempted, except as provided in subsection (f).

(b) GOVERNING LAW.—The substantive law for decision in an action described in subsection (a)(1) shall be derived from the law, including applicable choice of law principles, of the State in which the act of terrorism giving rise to the action occurred, except to the extent that—

(1) the law, including choice of law principles, of another State is determined to be applicable to the action by the district court hearing the action; or

(2) otherwise applicable State law (including that determined under paragraph (1), is inconsistent with or otherwise preempted by Federal law.

(c) FEDERAL JURISDICTION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, not later than 90 days after the date of the occurrence of an act of terrorism, the Judicial Panel on Multidistrict Litigation shall assign a single Federal district court to conduct pretrial and trial proceedings in all pending and future civil actions for claims arising out of or resulting from that act of terrorism.

(2) SELECTION CRITERIA.—The Judicial Panel on Multidistrict Litigation shall select and assign the district court under paragraph (1) based on the convenience of the parties and the just and efficient conduct of the proceedings.

(3) JURISDICTION.—The district court assigned by the Judicial Panel on Multidistrict Litigation shall have original and exclusive jurisdiction over all actions under paragraph (1). For purposes of personal jurisdiction, the district court assigned by the Judicial Panel on Multidistrict Litigation shall be deemed to sit in all judicial districts in the United States.

(4) TRANSFER OF CASES FILED IN OTHER FEDERAL COURTS.—Any civil action for claims arising out of or resulting from an act of terrorism that is filed in a Federal district

court other than the Federal district court assigned by the Judicial Panel on Multidistrict Litigation under paragraph (1) shall be transferred to the Federal district court so assigned.

(5) REMOVAL OF CASES FILED IN STATE COURTS.—Any civil action for claims arising out of or resulting from an act of terrorism that is filed in a State court shall be removable to the Federal district court assigned by the Judicial Panel on Multidistrict Litigation under paragraph (1).

(d) APPROVAL OF SETTLEMENTS.—Any settlement between the parties of a civil action described in this section for claims arising out of or resulting from an act of terrorism shall be subject to prior approval by the Secretary after consultation by the Secretary with the Attorney General.

(e) LIMITATION ON DAMAGES.—

(1) IN GENERAL.—Punitive or exemplary damages shall not be available for any losses in any action described in subsection (a)(1), including any settlement described in subsection (d), except where—

(A) punitive or exemplary damages are permitted by applicable State law; and

(B) it is proven beyond a reasonable doubt that the harm to the plaintiff was caused by the defendant's malicious conduct.

(2) PROTECTION OF TAXPAYER FUNDS.—Any amounts awarded in, or granted in settlement of, an action described in subsection (a)(1) that are attributable to punitive or exemplary damages allowable under paragraph (1) of this subsection shall not count as insured losses for purposes of this Act.

(f) CLAIMS AGAINST TERRORISTS.—Nothing in this section shall in any way be construed to limit the ability of any plaintiff to seek any form of recovery from any person, government, or other entity that was a participant in, or aider and abettor of, any act of terrorism.

(g) EFFECTIVE PERIOD.—This section shall apply only to actions described in subsection (a)(1) arising out of or resulting from acts of terrorism that occur during the effective period of the Program, including any applicable extension period.

SA 3870. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 4, line 14, insert “(a) IN GENERAL.—” before “In”.

On page 5, line 3, insert “or vessel” after “air carrier”.

On page 8, line 21, insert before the semicolon “, or had pending on that date an application for such license or admission”.

On page 9, line 19, strike “the period” and all that follows through line 22 and insert the following: “the 1-year period beginning on the date of enactment of this Act; and”.

On page 10, beginning on line 2, strike “the period” and all that follows through “2003” on line 3, and insert “the 1-year period beginning on the day after the date of expiration of the period described in subparagraph (A)”.

On page 10, line 17, insert before the semicolon “, including workers’ compensation insurance”.

On page 10, line 24, strike “or”.

On page 11, line 4, strike the period and insert the following: “; or

“(iii) financial guaranty insurance.”.

On page 11, line 14, strike “all States” and insert “the several States, and includes the territorial sea”.

On page 11, between lines 14 and 15, insert the following:

(b) RULE OF CONSTRUCTION FOR DATES.—With respect to any reference to a date in this Act, such day shall be construed—

(1) to begin at 12:01 a.m. on that date; and
(2) to end at midnight on that date.

On page 12, line 15, insert “on a separate line item” after “Act.”

On page 12, line 19, insert “as a line item described in subparagraph (A),” before “not”.

On page 15, line 3, strike “the period” and all that follows through line 6, and insert “the 1-year period beginning on the date of enactment of this Act—”.

On page 16, beginning on line 4, strike “the period” and all that follows through “2003” on line 6, and insert the following: “the 1-year period beginning on the day after the date of expiration of the period described in subparagraph (A)”.

On page 16, between lines 19 and 20, insert the following:

(D) PROHIBITION ON DUPLICATIVE COMPENSATION.—The Federal share of compensation for insured losses under the Program shall be reduced by the amount of compensation provided by the Federal Government for those insured losses under any other Federal insurance or reinsurance program.

On page 21, line 2, strike “at midnight on December 31, 2002” and insert “1 year after the date of enactment of this Act”.

On page 21, beginning on line 7, strike “until midnight on December 31, 2003” and insert “beginning on the day after the date of expiration of the initial 1-year period of the Program”.

On page 21, beginning on line 16, strike “at midnight on December 31, 2003” and insert “1 year after the date of commencement of such extension period”.

On page 22, beginning on line 13, strike “at midnight on December 31, 2002” and insert “1 year after the date of enactment of this Act”.

On page 23, line 19, insert “5(d),” before “and”.

On page 23, line 25, strike “10(b)” and insert “9(b)”.

On page 24, line 7, strike “2003” and insert “the second year of the Program, if the Program is extended in accordance with this section”.

On page 24, line 15, insert before the period “, including long-term care”.

On page 26, between lines 16 and 17, insert the following:

(I) STUDY OF RESERVES FOR CERTAIN TYPES OF INSURANCE FOR TERRORIST OR OTHER CATASTROPHIC EVENTS.—

(1) IN GENERAL.—The Secretary shall conduct a study of issues relating to permitting insurance companies that provide property and casualty insurance, life insurance, and other lines of insurance coverage to establish deductible reserves against losses for future acts of terrorism, including—

(A) whether such tax-favored reserves would promote—

(i) insurance coverage of risks of terrorism; and

(ii) the accumulation of additional resources needed to satisfy potential claims resulting from such risks;

(B) the lines of business for which such reserves would be appropriate, including whether such reserves for property and casualty insurance should be applied to personal or commercial lines of business;

(C) how the amount of such reserves would be determined;

(D) how such reserves would be administered;

(E) a comparison of the Federal tax treatment of such reserves with other insurance reserves permitted under Federal tax laws;

(F) an analysis of the use of tax-favored reserves for catastrophic events, including acts of terrorism, under the tax laws of foreign countries; and

(G) whether it would be appropriate to permit similar reserves for other future cata-

strophic events, such as natural disasters, taking into account the factors under the preceding paragraphs.

(2) REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary shall submit a report to Congress on the results of the study under paragraph (1), together with recommendations for amending the Internal Revenue Code of 1986, or other appropriate action.

SA 3871. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 30, strike lines 4 through 7 and insert the following:

(C) BAN ON PUNITIVE DAMAGES.—Punitive damages are not permitted in any action under this Act.

SA 3872. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 5, line 3, insert “or vessel” after “air carrier”.

SA 3873. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table, as follows:

On page 8, line 21, insert before the semicolon “, or had pending on that date an application for such license or admission”.

SA 3874. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table, as follows:

On page 9, line 19, strike “the period” and all that follows through line 22 and insert the following: “the 1-year period beginning on the date of enactment of this Act; and”.

SA 3875. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table, as follows:

On page 10, beginning on line 2, strike “the period” and all that follows through “2003” on line 3, and insert “the 1-year period beginning on the day after the date of expiration of the period described in subparagraph (A)”.

SA 3876. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 10, line 17, insert before the semicolon “, including workers’ compensation insurance”.

SA 3877. Mr. DODD submitted an amendment intended to be proposed by

him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 11, line 4, strike the period and insert the following: “; or
“(iii) financial guaranty insurance.”.

SA 3878. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 11, line 14, strike “all States” and insert “the several States, and includes the territorial sea”.

SA 3879. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 11, between lines 14 and 15, insert the following:

(14) RULE OF CONSTRUCTION FOR DATES.—With respect to any reference to a date in this Act, such day shall be construed—

(A) to begin at 12:01 a.m. on that date; and
(B) to end at midnight on that date.

SA 3880. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 26, between lines 16 and 17, insert the following:

(I) STUDY OF RESERVES FOR CERTAIN TYPES OF INSURANCE FOR TERRORIST OR OTHER CATASTROPHIC EVENTS.—

(1) IN GENERAL.—The Secretary shall conduct a study of issues relating to permitting insurance companies that provide property and casualty insurance, life insurance, and other lines of insurance coverage to establish deductible reserves against losses for future acts of terrorism, including—

(A) whether such tax-favored reserves would promote—

(i) insurance coverage of risks of terrorism; and

(ii) the accumulation of additional resources needed to satisfy potential claims resulting from such risks;

(B) the lines of business for which such reserves would be appropriate, including whether such reserves for property and casualty insurance should be applied to personal or commercial lines of business;

(C) how the amount of such reserves would be determined;

(D) how such reserves would be administered;

(E) a comparison of the Federal tax treatment of such reserves with other insurance reserves permitted under Federal tax laws;

(F) an analysis of the use of tax-favored reserves for catastrophic events, including acts of terrorism, under the tax laws of foreign countries; and

(G) whether it would be appropriate to permit similar reserves for other future catastrophic events, such as natural disasters, taking into account the factors under the preceding paragraphs.

(2) REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary shall submit a report to Congress on

the results of the study under paragraph (1), together with recommendations for amending the Internal Revenue Code of 1986, or other appropriate action.

SA 3881. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On Page 24, line 7, strike "2003" and insert "the second year of the Program, if the Program is extended in accordance with this section".

SA 3882. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 24, line 15, insert before the period "including long-term care".

SA 3883. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 21, strike lines 1 through page 22, line 14 and insert the following:

(1) IN GENERAL.—The Program shall terminate 1 year after the date of enactment of this Act, unless the Secretary—

(A) determines, after considering the report and finding required by this section, that the Program should be extended for one additional year, beginning on the day after the date of expiration of the initial 1-year period of the Program; and

(B) promptly notifies the Congress of such determination and the reasons therefor.

(2) DETERMINATION FINAL.—The determination of the Secretary under paragraph (1) shall be final, and shall not be subject to judicial review.

(3) TERMINATION AFTER EXTENSION.—If the Program is extended under paragraph (1), the Program shall terminate 1 year after the date of commencement of such extension period.

(b) REPORT TO CONGRESS.—Not later than 9 months after the date of enactment of this Act, the Secretary shall submit a report to Congress—

(1) regarding—

(A) the availability of insurance coverage for acts of terrorism;

(B) the affordability of such coverage, including the effect of such coverage on premiums; and

(C) the capacity of the insurance industry to absorb future losses resulting from acts of terrorism, taking into account the profitability of the insurance industry; and

(2) that considers—

(A) the impact of the Program on each of the factors described in paragraph (1); and

(B) the probable impact on such factors and on the United States economy if the Program terminates 1 year after the date of enactment of this Act.

SA 3884. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 12, strike lines 15 through 19 and insert the following: "of enactment of this Act, on a separate line item in the policy, at the time of offer, purchase, and renewal of the policy; and

"(B) in the case of any policy that is issued before the date of enactment of this Act, as a line item described in subparagraph (A) not".

SA 3885. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 15, line 3, strike "the period" and all that follows through line 6, and insert "the 1-year period beginning on the date of enactment of this Act—".

SA 3886. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 16, beginning on line 4, strike "the period" and all that follows through "2003" on line 6, and insert the following: "the 1-year period beginning on the day after the date of expiration of the period described in subparagraph (A)".

SA 3887. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 16, between lines 19 and 20, insert the following:

(D) PROHIBITION ON DUPLICATIVE COMPENSATION.—The Federal share of compensation for insured losses under the Program shall be reduced by the amount of compensation provided by the Federal Government for those insured losses under any other Federal insurance or reinsurance program.

SA 3888. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 21, line 2, strike "at midnight on December 31, 2002" and insert "1 year after the date of enactment of this Act".

SA 3889. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 23, line 19, insert "5(d)," before "and".

SA 3890. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 23, line 25, strike "10(b)" and insert "9(b)".

ORDER FOR RECORD TO REMAIN OPEN UNTIL 4 P.M.

Mr. REID. Mr. President, I ask unanimous consent that the RECORD remain open today until 4 p.m., for the introduction of legislation and the submission of statements, notwithstanding the adjournment of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, for the information of all Senators, as I announced earlier today and I state again, the Senate will convene tomorrow at 9:30 and will vote on cloture on the terrorism insurance bill at 9:45.

Senators have until 9:40 tomorrow morning to file second-degree amendments.

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 the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 3:27 p.m., adjourned until Tuesday, June 18, 2002, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate June 17, 2002:

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

JOHN S. BRESLAND, OF NEW JERSEY, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS, VICE DEVRA LEE DAVIS.

NUCLEAR REGULATORY COMMISSION

JEFFREY S. MERRIFIELD, OF NEW HAMPSHIRE, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2007. (REAPPOINTMENT)

BROADCASTING BOARD OF GOVERNORS

NORMAN J. PATTLZ, OF CALIFORNIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2004. (REAPPOINTMENT)

DEPARTMENT OF STATE

ELLEN R. SAUERBREY, OF MARYLAND, FOR THE RANK OF AMBASSADOR DURING HER TENURE OF SERVICE AS THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE COMMISSION ON THE STATUS OF WOMEN OF THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS.

IN THE AIR FORCE

THE FOLLOWING OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. FREDERICK F. ROGGERO, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. STEVEN J. HASHEM, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS AND FOR REGULAR APPOINTMENT UNDER TITLE 10 U.S.C., SECTIONS 624 AND 3064:

To be major

NANETTE S. PATTON, 0000

EXTENSIONS OF REMARKS

A TRIBUTE TO HONORABLE
ALFRED D. COOPER

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. TOWNS. Mr. Speaker, I rise in honor of the Honorable Alfred D. Cooper for his commitment to pursuing justice.

The Honorable Alfred D. Cooper is a long-standing New York public servant. After receiving his bachelor's degree in History and Political Science from Brooklyn College, Judge Cooper served in the United States Army. He later received a Masters Degree from the Brooklyn College Graduate School and a law degree from the Columbus School of Law at the Catholic University of America in Washington, D.C.

Judge Cooper has served in the Unified Court System of New York for more than twenty-five years. He started as a Uniformed Court Officer and rose through the ranks to Senior Court Attorney. In 1999, he became the first African American elected to the Nassau County Court as a Democrat.

Prior to ascending to the bench, Judge Cooper served as the president of the Men's Caucus for Congressman TOWNS, president of the District Court Arbitrators' Association, vice-president of finance and vice chairperson of the Metropolitan Black Bar Association, Inc. He has received awards from the Amistad Bar Association, and the 2000 Man of the Year Award from the Bedford-Stuyvesant Lions. He has also published a number of decisions in the New York Law Journal exemplifying another aspect of his fine record of service.

Mr. Speaker, the Honorable Alfred D. Cooper has shown outstanding dedication to the community. I hope that all my colleagues will join me in honoring this remarkable person.

PERMANENT MARRIAGE PENALTY
RELIEF ACT OF 2002

SPEECH OF

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2002

Mr. FORBES. Mr. Speaker, I rise in strong support of H.R. 4019, the Permanent Marriage Penalty Relief Act.

I wholeheartedly support ending the marriage penalty in the tax code. On March 8, 2001, President Bush signed into law H.R. 3, the Economic Growth and Tax Relief Act of 2001. H.R. 3 reduced income tax rates across the board and made significant progress towards reducing the marriage tax penalty.

Among its main provisions, H.R. 3 increased the standard deduction for married couples to twice that of single earners and increased the 15 percent income tax bracket to twice that of single earners. Furthermore, H.R. 3 doubled

the per-child tax credit to \$1000 from \$500. When fully phased in this new law will give 28 million working American couples relief from the marriage tax penalty. This includes 54,000 couples from the Fourth District who currently pay an average of \$1,400 a year in extra taxes just because they are married.

Unfortunately, because of the other body's arcane rules, the Economic Growth and Tax Relief Reconciliation Act will sunset in 2011. This is because under the Byrd Rule a point of order may be raised in the Senate against any tax reduction contained in a reconciliation bill that reduces taxes beyond the window of the reconciliation bill, in this case ten years. The point of order can only be waived with the vote of 60 Senators.

Congress should not allow the marriage penalty to rear its ugly head again because of the Senate's bureaucratic rules. The sunset provision of the tax relief package defies the original intent of the legislation and makes it virtually impossible for people and small businesses to plan ahead from a tax standpoint.

At a time when marriages are falling apart at record levels, it makes absolutely no sense to require people to pay more in taxes simply because they are married. This law will relieve families of this extra burden and provide them with more money for their priorities, whether it's college tuition, children's braces, or a family vacation. People should not be taxed differently simply because of their marital status.

Should the sunset of tax relief occur in 2011, countless couples will face higher tax bills simply because they said I do. Now is the time to make tax relief for hard working married couples permanent. I urge my colleagues to support this very important legislation.

HONORING PROFESSOR FRANCISCO
J. AYALA

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. COX. Mr. Speaker, I rise today to congratulate Francisco J. Ayala, Donald Bren Professor of Biological Sciences and Professor of Philosophy at the University of California, Irvine. Today, President Bush will present Professor Ayala the National Medal of Science, the highest honor for scientific achievement in the United States.

Professor Ayala was born in Madrid, Spain in 1934, and moved to the United States in 1961. Three years later, he received a Doctorate of Philosophy from Columbia University. Since this time, he has served on the faculties of several universities across the country, published over 750 articles, and written or edited 15 books. From 1994 to 2001, he served his country on the President's Committee of Advisors on Science and Technology. He has been a member of the faculty at the University of California, Irvine since 1987, and it has been my pleasure to represent him in Congress for the last 14 years.

Professor Ayala's discoveries have revolutionized the study of evolution by applying new techniques to the investigation of the evolutionary process. He has also made landmark advances in the treatment and prevention of worldwide diseases that have afflicted millions, including Chagas' disease and malaria. Professor Ayala's advances are helping the medical profession eradicate diseases that have devastated communities in developing countries for centuries.

Professor Ayala will continue to serve mankind by selflessly lending his time and effort as a scientist to the war against disease, and as a teacher at University of California, Irvine. The national recognition of his outstanding work is a special honor for UCI, as well: Professor Ayala is the UCI's second recipient of this award. On behalf of the United States House of Representatives, and all of the people of Orange County whom I am privileged to represent, I congratulate Professor Ayala on his lifetime of achievements in the field of evolutionary biology.

IN HONOR OF SUSAN LUSTIG

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. ISRAEL. Mr. Speaker, I rise today to recognize Susan Lustig for her 15 years of distinguished service as the Executive Director of the Suffolk Jewish Communal Planning Council.

Susan Lustig embodies the heart and soul of Jewish life in Suffolk County. Under Susan's leadership the Suffolk Jewish Communal Planning Council has expanded in both stature and influence. She has overseen the publication of many editions of the Suffolk Jewish Directory, the Suffolk Jewish Communal Planning Council's signature publication. Additionally, new projects have been developed under her tenure to meet the needs of a growing Jewish community. These include the Suffolk Anti-Bias Task Force, the M'Yad L'Yad-Helping Hands assistance program, the Conversion to Judaism Resource Center and the Suffolk Jewish Community Kallah Education Program.

Susan is an avid supporter of strong U.S.-Israel relations. During the Israeli Teen Delegation's annual visit to our community, Susan escorted the delegation throughout Long Island. She continues to pledge her friendship and support for Israel through her charismatic nature and judicious course of actions.

It is with great pride that I recognize the years of service Susan has given to her community and bring her achievements to the attention of Congress.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

A TRIBUTE TO ARTHUR P.
JOHNSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. TOWNS. Mr. Speaker, I rise in honor of Arthur P. Johnson for his dedication to helping others.

Arthur P. Johnson is a native New Yorker whose professional and community service is guided by the philosophy of empowering individuals, families and communities to be self-sustaining. His parents and grandparents instilled in him the importance of education, a strong work ethic, and the need for spiritual guidance. He demonstrated his commitment to these values when he helped start the ALPHA School for substance abusing teens. During his diverse career he has also been involved with mental health and H.I.V. services at the New Hope Guild Centers as well as owning a share of a city licensed pest control business.

Arthur is devoted to improving the environment in which we live through his public service. In East New York, he sits on Community Board #5, the board of Brownsville Medical Services, and the board of the Twelve Towns Y.M.C.A. He is also 2nd Vice-President of the Congressman Towns' Men's Caucus and treasurer of the New York Shot Makers Golf Club. With this work, and his entrepreneurial endeavors, Arthur is working to make a difference.

In addition, to his many work and volunteer responsibilities, he is also the proud father of Lisa, Arthur, Jr., and Latasha as well as the very happy grandfather of Asia and Cameron.

Mr. Speaker, Arthur P. Johnson has shown his commitment to serving the community and helping those who cannot help themselves. I hope that all my colleagues will join me in honoring this remarkable person.

CONGRATULATING REAR ADMIRAL
RAYMOND ARCHER

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. MORAN of Virginia. Mr. Speaker, I rise today to recognize the distinguished military career of Rear Admiral Raymond A. Archer III, Vice Director of the Defense Logistics Agency. Admiral Cunningham will retire on November 1, 2002 after 38 years of dedicated service to the U.S. Navy and to his country.

Admiral Archer's military career began in 1964, with his enlistment in the U.S. Naval Reserve. Following his graduation from Ohio State University's School of Business, he went on to develop an extensive background in logistics, making him an invaluable asset to the U.S. Navy and the Department of Defense. After a series of key assignments, both ashore and at sea, Admiral Archer became the Assistant Deputy Under Secretary of Defense for Logistics Business Systems and Technology Department in Washington, DC in 1996. He continued his service as Commander of the Naval Inventory Control Point in Mechanicsburg, PA. Then, in October, 1997, Admiral Archer was recognized for his exceptional abilities

and outstanding accomplishments with his selection as Vice Director of the Defense Logistics Agency.

In his current capacity, Admiral Archer has been responsible for aiding the effort to provide other Department of Defense Components as well as Federal agencies, foreign governments, and international organizations with logistical support in times of war and peace. Admiral Archer has contributed his expertise to the Agency most specifically by serving as the Agency's knowledgeable authority regarding Business Systems Modernization, the most dynamic and important project facing the Defense Logistics Agency. He has succeeded during his time with DLA in surpassing all expectations regarding the improvement of logistics programs for the Department of Defense and Federal Agencies.

Over the course of Admiral Archer's exemplary career he has earned several personal awards, including the Defense Superior Service Medal, four Legions of Merit and four Meritorious Service Medals, one of which was awarded to him by Naval Forces Central Command for providing logistics support during Battle Force Zulu, Operation Desert Storm.

Mr. Speaker, I ask the House to join me in congratulating Raymond Archer on his retirement as it marks the completion of a distinguished career by an honorable officer. Thank you, Raymond, for your superior service to the U.S. Navy and to this Nation.

PERSONAL EXPLANATION

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. FORBES. Mr. Speaker, I rise to offer a personal explanation. On June 13, 2002, I was absent from the Chamber as I attended my daughter's high school graduation. During that time, I was not present to vote on rollcall votes 226, 227, 228, and 229. Had I been present, I would have voted, "yes" on rollcall votes 226, 227, and 229. I would have voted, "no" on rollcall vote 228. I ask that my statement be submitted in the appropriate place in the CONGRESSIONAL RECORD.

HONORING PRO FOOTBALL
HOPEFUL AHMAD MILLER

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. COX. Mr. Speaker, 17 years ago, our colleague from California, Mr. Badham, who represented Newport Beach before I had that honor, rose in this chamber to commemorate the 10th anniversary of an important community event in Orange County, "Irrelevant Week." This event, premised on the "simple act of doing something nice for someone for no reason," takes time out to recognize and honor the last athlete selected in the National Football League's annual draft.

Today, 27 years after the people of Orange County first decided to do something nice for someone for no reason, I'm pleased to report that "Irrelevant Week" and Orange County al-

truism are both thriving. Irrelevant Week XXVII is honoring Ahmad Miller, from the University of Nevada at Las Vegas, who was the 261st selection in the 2002 NFL Draft. He is headed to the Houston Texans, where—at six feet three and a half inches tall and 320 pounds—he has the potential to be a presence on the team's defensive line, despite the scores of players selected ahead of him.

Such long odds do not dampen the enthusiasm of community leaders like Paul Salata, who organizes this event. That's because they recognize that all fame is fleeting, that humility is a virtue, and that even the last round NFL draft pick is a significantly better athlete than most Members of Congress. During his stellar career at UNLV, Mr. Miller accumulated five quarterback sacks, three forced fumbles, 96 tackles, and 13 tackles for losses. These performances earned the Bradenton, Florida native two selections to the All Mountain West Conference team.

Today, the citizens of Newport Beach join me in congratulating Mr. Miller and all of those involved in this celebration, which has now, we can all agree, outgrown its name—for there is little in this world today that is more relevant to our spirit of community and our common humanity than doing nice things for other people. On behalf of the United States Congress and the people of Orange County whom it is my privilege to represent, congratulations to Mr. Miller and everyone associated with Irrelevant Week XXVII, for being more relevant than you care to admit.

A TRIBUTE TO REVEREND
RICHARD J. LAWSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. TOWNS. Mr. Speaker, I rise in honor of Reverend Richard J. Lawson for his contribution to the Brooklyn community.

Reverend Richard J. Lawson is pastor of the New Canaan Baptist Church in Brooklyn, New York. At the 400-member church, he offers spiritual and moral guidance. Reverend Lawson has been involved in the church since 1984 and currently oversees its educational programs. He developed the church's youth leadership program and established its athletic team. The Reverend also spearheaded the purchase of the Church's new worship facility. He is truly committed to improving the lives of others.

Reverend Lawson also ministers outside of his church. He visits those who are sick and travels throughout New York to provide a religious program in prisons.

Additionally, he is involved in several community organizations. Reverend Lawson is a member of the Manhattan Bible Alumni Association, Suna Enoch A.M.F.M. Lodge #139, Association of Brooklyn Clergy, Eastern Baptist Association, Brooklyn Clergy and Elected Officials, and Churches to Save and Heal. Reverend Lawson served almost a decade in the United States Army.

Mr. Speaker, Reverend Richard J. Lawson is a dedicated minister and contributor to his community. I hope that all of my colleagues will join me in honoring this remarkable spiritual leader.

100TH ANNIVERSARY OF THE CITY
OF SEBASTOPOL**HON. LYNN C. WOOLSEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Ms. WOOLSEY. Mr. Speaker, I rise today to honor the city of Sebastopol, in the heart of western Sonoma County, CA, on the occasion of its 100th anniversary.

The earliest residents of the Sebastopol area were members of the Miwok and Pomo tribes who traversed the old trail between Petaluma and Santa Rosa, making seasonal camps on the banks of the Laguna de Santa Rosa. The present community began as the town of Pine Grove, a trading post established in the early 1950s. The name Sebastopol originated in a protracted fist fight between two residents, Stevens and Hibbs. Hibbs sought sanctuary in Dougherty's store while Stevens waited for him outside. Citizens likened the fight to the "siege of Sevastopol," a reference to the Crimean War then raging abroad.

The town grew as an agricultural center, producing apples, hops, and berries and was chosen by Luther Burbank as the site of his famous Experiment Farm. In the 1890s, Sebastopol became an important railroad crossroads, with a market center and meeting place for Western Sonoma County. This increased prosperity and population led to the incorporation of the city of Sebastopol on June 13, 1902.

The city has continued to thrive, surviving the 1906 earthquake, the Great Depression, the waning of the railroad era, and the many other challenges of the 20th century. It has maintained its rural character, surrounded by natural beauty and blessed with a mild climate and fertile soil. In recent years, its policies in becoming a nuclear free zone, creating a people-friendly downtown, and exploring the viability of renewable energy sources have set a standard for other progressive cities to emulate.

Mr. Speaker, I congratulate the city of Sebastopol on its centennial and know that it will continue to maintain its unique character as a special place in Sonoma County, CA.

TRIBUTE TO BRUNO AND LENA
DEGOL**HON. BILL SHUSTER**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. SHUSTER. Mr. Speaker, I rise today to congratulate Bruno and Lena DeGol for receiving the National Humanitarian Award from the American Rescue Workers. This award distinguishes them as citizens that take a personal interest in bettering their community and providing others the necessary resources to accomplish this goal. Since the beginning of their business careers, the DeGols have been supportive of many different organizations. As their businesses advanced, they pursued more outlets through which they could provide financial assistance and any needed help to other local institutions.

To consolidate their giving, in 1994 they established the Bruno and Lena DeGol Family

Foundation. The foundation is doing a great number of wonderful things for the community. I would like to mention just a few examples of what the foundation has provided throughout the years. They have donated \$2 million to St. Francis College's capital campaign, making a new gymnasium possible; they have made several donations to local churches for building improvements and renovations; each year they host a child for a trip through the Make a Wish Foundation; and they have given computer equipment and other educational materials for local elementary and secondary schools. In addition to giving to these and other worthy organizations, the DeGols also focus their giving to local individuals that are in need of assistance due to illness or other hardships.

Bruno and Lena DeGol lead a life of altruism and possess an exceptionally generous spirit. They touch the lives of countless individuals by providing resources to institutions and individuals in need for no other reason than their desire to help others. Bruno DeGol has said that he wants to leave this world a better place than he found it. Their community certainly is a better place because of their contributions and efforts. The DeGols are individuals that truly represent and embody what the National Humanitarian Award stands for, which is "People Helping People." I would like to congratulate them once again for this award and thank them for all they have done. I wish them the very best of luck in all their future endeavors.

HONORING MR. AND MRS. NURY

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Massud and Zarrin Nury on the occasion of their 50th wedding anniversary.

Mr. Massud S. Nury and Miss. Zarrin Shanin both emigrated from Iran to the United States. They were married on December 22, 1951, in San Francisco. Mr. Nury attended the University of California at Berkeley and Davis. He graduated with his B.S. and M.S. degrees in food science. The Nurys moved to Fresno in 1953. Mr. Nury started at Vie-Del Company, a California winery, in 1953 as a research chemist. Later he became President and in 1990 purchased Vie-Del Company.

Mr. and Mrs. Nury have 3 daughters and 9 grandchildren. They have been and are currently involved with the following organizations: Wine Institute, American Society of Enology and Viticulture, Fresno Philharmonic, Community Hospitals of Central California, Fresno Business Council, Institute of Food Technologists and various other organizations.

Mr. Speaker, I rise to congratulate Mr. and Mrs. Nury on their 50 years of marriage. I encourage my colleagues to join me in wishing the Nurys many more years of health and happiness.

TRIBUTE TO RON JENNINGS

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. SKELTON. Mr. Speaker, let me take this means to congratulate and pay tribute to Ron Jennings of Sedalia, MO, who has been a reporter and weekly columnist for the Sedalia Democrat for 30 years. He has distinguished himself, the Sedalia community and the State of Missouri with dedicated service.

Ron Jennings started work at the Sedalia Democrat on June 1, 1972. Since then he has covered stories large and small that have touched upon virtually every facet of life in Sedalia, Pettis County, and much of the surrounding area. He is a devoted family man, a pillar of his church and a man whose openness and sincerity have won him loyal readers and a multitude of friends over three decades of newspapering. Ron is the one person most identified with the Sedalia Democrat's new operation.

Mr. Speaker, Ron Jennings has been dedicated to making the city of Sedalia and the State of Missouri a better place to live. I am certain that my colleagues will join me in wishing Ron all the best.

A TRIBUTE TO DIANE E. HARRIS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. TOWNS. Mr. Speaker, I rise today in honor of Diane E. Harris. She has been a mother to all of the children in her community and for that we commend her today.

Diane was born and raised on Staten Island in the borough of Richmond. She received her formal education at Port Richmond High School and then attended Hunter College where she majored in Sociology/Education. She has dedicated herself to working with children for over 27 years.

She has held positions as a counselor for Henry Street Settlement, as an assistant director for Markham YMCA, and as an assistant director for Richmond Continental Color Guard. In 1979, she joined the United Activities Unlimited at the Joseph R. Garcia PAL Center as a program director and was later promoted to director of this Center in the New Brighton community of Staten Island. In 1999, Ms. Harris became the director of the Schwartz Police Athletic League Center in East New York, Brooklyn.

Diane has developed a tremendous bond with the families of East New York. She has had experiences that have broadened her horizons and enabled her to embrace both her past training and academic knowledge to coordinate a full academic, recreational, cultural, and therapeutic program.

She has received numerous community service and humanitarian awards, including the Richmond Continental Instructor Extraordinaire, the S.I. Hope, the Staten Island League for Better Government, and the Youth Services Planning Committee of CB#5.

She is not only a mother to her community, but also a mother to her own two sons, John III and JoVaughn.

Diane provides a positive alternative by improving the lives of families, children, and her community by sharing her knowledge, love, support, and dedication. I urge my colleagues to join me in honoring Diane Harris.

RECOGNIZING J. FRANK MOORE III

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. GRAVES. Mr. Speaker, I rise today to recognize the outstanding work of J. Frank Moore III, president of the International Association of Lions Clubs.

Under the leadership of President Moore the Lions Club has emphasized youth outreach and implemented several programs designed to recognize the accomplishments of young people. At a recent event held in Independence, MO, President Moore honored over 400 young men and women who performed community service projects in Jackson, Platte, Clay, and Cass Counties. These young people were presented with certificates, scholarships, and other awards to recognize their achievement.

As we are all well aware, the guidance of the Nation's youth is of paramount importance to the future stability and continued success of our great country. The work of Mr. Moore, in providing leadership and guidance to our young people, is important, noble, and worthy of esteem by this body.

Please join me in honoring President J. Frank Moore III for his tireless work to support our Nation's young people.

IN RECOGNITION OF THE EXEMPLARY WORK OF DR. RUTH KIRSCHSTEIN

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mrs. MORELLA. Mr. Speaker, I want to recognize the exemplary work of Dr. Ruth Kirschstein, Deputy Director of the National Institutes of Health which is located in my district.

I have had the privilege of knowing Dr. Kirschstein both as a personal friend and a professional colleague. I am pleased that on June 18th Dr. Kirschstein's hard work and dedication will earn her the American Association of Immunologists Public Service Award in recognition of her outstanding scientific administration leadership at the National Institutes of Health, and for extraordinary commitment to the advancement of public understanding of, and support for, biomedical research.

Dr. Kirschstein recognizes the importance of basic research as the source of insight and innovation in clinical applications, and the necessity for shaping the funding system to encourage excellence. She has placed particular emphasis on the support of individual, investigator-initiated research grants.

Dr. Kirschstein's skills and talents have earned her many honors and awards, including the PHS Superior Service Award, the Presidential Meritorious Executive Rank

Award, election to the Institute of Medicine, the Public Health Service Equal Opportunity Achievement Award, the Presidential Distinguished Executive Rank Award, the list goes on. She was also recognized by the Anti-Defamation League, which bestowed her with their Women of Achievement Award.

Mr. Speaker, it has been my honor to know Dr. Kirschstein. The American people, our Public Health Systems, and the National Institutes of Health are blessed to have her.

A PROCLAMATION HONORING ANNA RADU

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. NEY. Mr. Speaker,

Whereas, Anna Radu was born on March 8, 1902; and

Whereas, Anna Radu Celebrated her 100th birthday this year; and

Whereas, Anna Radu, from Garbova, Romania, became a citizen of the United States of America on September 8, 1939;

Therefore, I join with the residents of the entire 18th Congressional District in congratulating Anna Radu as she celebrates her 100th birthday.

HONORING NATIONAL HISTORY DAY PARTICIPANT MIRIAM CARLSON

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. MANZULLO. Mr. Speaker, I rise today to honor Miriam Carlson, a home-schooled 9th grader from Rockford, Illinois. Miriam was selected from over 700,000 students from across the Nation to be one of 2,000 participants in the National History Day. This year's theme called for contestants to select a notable woman in history under the topic, "Revolution, Reaction and Reform." Miriam's project was on the life of Julia Lathrop, entitled, "Julia Lathrop: Mother to Uncle Sam's Children."

I would like to extend my congratulations to Miriam on her hard work and dedication to this project and I wish her success in future endeavors. Here is her essay:

JULIA LATHROP: MOTHER TO UNCLE SAM'S CHILDREN

(By Miriam Carlson)

I wanted a project where I could find photos. My father had read about Julia Lathrop. He mentioned her to me and I became interested.

Julia Lathrop was born in Rockford and later returned to my hometown. What was exciting is that her second home, which she shared with her sister, is only three blocks from my house. A friend of mine lives in that house. Also, Julia Lathrop is buried in nearby Greenwood Cemetery. Here when I was younger, I took my first long bike rides when my father ran. I enjoyed researching someone with whom I have some connections.

My research began at the Rockford Public Library. I looked up Julia Lathrop, the Chil-

dren's Bureau, Baby Week, Infants, and Department of Labor in the Reader's Guide to Periodicals. I grouped all my articles by journal and checked to see which sources the Rockford Library had. Next I looked up the same topics in the New York Times Index. Later I found these articles on microfilm.

Most of the journals I found at The University of Wisconsin. In five trips, I used the Memorial Library, the Historical Society Library, the Health Sciences Library, the Social Sciences Library, and the Steenbock Agriculture Library. I also used inter-library loan.

I visited the University of Illinois-Chicago to use their archive and to see Hull House. I watched a slide show about Jane Addams and the founding of Hull-House. At the archive, I found letters written to and by Julia Lathrop. I went to the Rockford College Archives. I copied her handwritten rough drafts of speeches and letters. I interviewed her niece. I also found Julia Lathrop's Childrens Bureau files in the National Archives.

In past years, I used vertical boards. This year I wanted something different. I had an idea of a project that would rotate. I had no idea how this would work. My father and I took a trip to my local hardware store I found a fixture that would attach to a base and spin. Basically this is what is inside a Lazy Susan.

Finally my father and I designed the panels. We took the dimensions and bought the insulation board and wood at the lumberyard.

I took notes and wrote summaries for the annotated bibliography. I made copies and wrote the labels. I then worked on the layout. My father helped cut the mat board on our 24-inch paper cutter. My mother helped with the word processing.

Julia Lathrop reacted to a problem that resulted from the Industrial Revolution. Children were suffering and dying because of this great change. She was especially concerned with the infant mortality rate.

My project explores Julia Lathrop's reaction to this Revolution and how she tried to create reforms that combated it. Her work began in Illinois, spread to the entire United States, and eventually worldwide.

Julia Lathrop worked to lower infant and maternal mortality, increase maternal education, and reduce child labor, all the harsh consequences of the Industrial Revolution.

"FIGHTING TERRORISM DOES NOT MEAN IGNORING OUR OWN CONSTITUTION"

HON BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. FRANK. Mr. Speaker, recently we have learned of two cases where American citizens have been arrested and subjected to indefinite imprisonment with no prospect of their being allowed to appear before a judge, and contest the basis on which they have been imprisoned. I believe this is a grave error. There is virtually unanimous support in the Congress and in the country for the fight against terrorism. And we realize that this means stepped up law enforcement in many respects, but it should not mean that the Constitution exists only at the option of the Justice Department. Imprisoning people who are legally here in the U.S. for indefinite periods with no provisions for there being any adjudication of the grounds of their imprisonment is unacceptable.

On Thursday, June 13 the Washington Post editorial entitled *Detaining Americans* (Cont'd) addressed this issue in a very thoughtful and cogent fashion. The concluding paragraph of that editorial is an important one that deserves special emphasis:

The idea of indefinite detentions of Americans who have not been convicted of any crime is alarming under any circumstance. Without the meaningful supervision of the courts, it is a dangerous overreach of presidential power. If such a thing were happening in any other country, Americans would know exactly what to call it.

Mr. Speaker, because this is one of the most important issues now facing us—figuring out how best to defend ourselves in ways thoroughly consistent with our Constitutional values—I ask that the editorial be printed here.

[From the Washington Post, June 13, 2002]

DETAINING AMERICANS (CONT'D)

The Bush administration is at least candid in its description of its detention of Jose Padilla, the American citizen arrested in Chicago on suspicion of being part of an al Qaeda plot to set off a dirty bomb. "We are not interested in trying him at the moment or punishing him at the moment," said Defense Secretary Donald Rumsfeld. "We are interested in finding out what he knows." President Bush described the Brooklyn native as "a threat to the country [who] is now off the street, where he should be." If Mr. Padilla is, as Mr. Bush said, "a bad guy," then it's a relief to have him behind bars. That said, we had thought that it took more than the determination by the president that someone was a "threat to the country" before an American could simply disappear and be locked up without charge or trial or prospect of release.

The government may be right that an American citizen working with al Qaeda can be held as an enemy combatant for the duration of the war on terrorism. As a legal matter, the contention has precedent in prior conflicts, though how to apply those precedents during an undeclared war against a non-state actor when the administration itself seems to regard the conflict as never-ending is no easy question. International law permits the detention of captured enemy soldiers, even those who have committed no crimes, and it would be reckless of the government simply to release people bent on detonating dirty bombs. The question is not whether the government can detain an enemy combatant bent on doing America great harm but whether it can designate anyone it chooses as such a person without meaningful review.

The government's position would be easier to swallow were it not actively seeking to frustrate judicial review of the president's designations. When the government detains a citizen as an enemy combatant, that person must be permitted to consult with counsel and challenge the lawfulness of the detention in court. Without that, every citizen is at the mercy of presidential whim. Formally, the government recognizes that federal courts have jurisdiction to consider the legality of detentions—including military detentions—in this country. Yet in Mr. Padilla's case—as in that of Yaser Esam Hamdi, another detainee with likely citizenship—it has thrown procedural obstacles in the way of efforts to adjudicate detentions. After whisking Mr. Padilla to military custody in South Carolina from civilian custody in New York, it has prevented him from consulting with the lawyer who had been appointed to represent him. Similarly, the government refused to let Mr. Hamdi meet with a federal public defender interested in rep-

resenting him. And when that lawyer sought to file a case on his behalf anyway, the government then contended in a Kafkaesque twist that, having had no prior relationship with Mr. Hamdi, the lawyer could not do so.

The idea of indefinite detentions of Americans who have not been convicted of any crime is alarming under any circumstances. Without the meaningful supervision of the courts, it is a dangerous overreach of presidential power. If such a thing were happening in any other country, Americans would know exactly what to call it.

TRIBUTE TO MASTER SERGEANT
LES (ANDY) D. ANDERSON

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. TRAFICANT. Mr. Speaker, today I would like to pay tribute to Master Sergeant Les (Andy) D. Anderson who was recently promoted to Senior Master Sergeant.

SMSgt Anderson was born 26 November 1959, in Youngstown, Ohio. He graduated from Chaney High School in 1978. He has a Bachelors Degree in Criminal Justice, Bachelors Degree in Human Resource Management, Associates Degree in Liberal Arts, and a Community College of the Air Force Degree in Instructional Technology.

SMSgt Anderson enlisted in the US Air Force in 1978, attending basic training and the Security Police Law Enforcement Academy at Lackland AFB Texas. From there he attended the Security Police Air Base Ground Defense Course at Camp Bullis, Texas. Upon graduating from there he was assigned to the 86 SPS Ramstein AFB Germany. In addition to performing duties as an installation patrolman, he worked as a Desk Sergeant. He was a first scene responder immediately after terrorists detonated a bomb at the HQ USAF building in August 1981. He returned to the United States in December 1981 and was assigned to the 3800 SPS, Maxwell AFB Alabama. While assigned to Maxwell AFB, he attended the Traffic Accident Investigation Course at Lackland and the Alabama Criminal Justice Information Center Terminal Operation Course.

He worked as a Law Enforcement Specialist until September 1983 when he retrained into Combat Arms Training and Maintenance (CATM). Upon graduation from the CATM Technical School in November 1983, he was assigned to Myrtle Beach AFB South Carolina. While assigned there he attended the MK-19 Automatic Grenade Launcher Course, M60 Specialist Course, and the Combat Rifle Course conducted at Indian Springs AFAF Nevada. He deployed to Saudi Arabia from August 1990 to March 1991 in support of Operation Desert Shield/Storm.

In September 1992 he was selected for assignment to the HQ ACC/SP staff, Langley AFB Virginia. While assigned as MAJCOM CATM Functional Manager, he managed issues for 21 subordinate bases providing oversight of 225 CATM technicians; 59 ranges; 70,464 weapons; 93,000 students, and over 34 million rounds of ammunition. He attended the Beretta Armors Course in September 1994. From September 1996 to his departure in July 1998, he worked ACC/SP issues associated with the Security, Law En-

forcement, Canine, and CATM career field merger. In June 1997, he assumed additional duties as the Superintendent, Security Forces Resources responsible for allocating and distributing \$165M worth of Security Forces equipment, including radios, vehicles, weapons, and Air Base Defense assets. He was selected by the Academy and arrived for duty with the Firearms and Tactics section in July 1998.

SMSgt Anderson's military awards and decorations include the Meritorious Service Medal (1 OLC), Air Force Commendation Medal (2 OLC), Outstanding Unit Award with Valor device (1 OLC), AF Organization Excellence Award, National Defense Service Medal, Southwest Asia Service Medal, Kuwaiti Liberal Medal (Kingdom of Saudi Arabia, Kuwaiti Liberal Medal (Kingdom of Kuwait), Navy Expert Rifle Medal, Navy Expert Pistol Medal, and the AF Expert Marksmanship Award (bronze star).

SMSgt Anderson lives in Waldorf, Maryland and has two daughters, Brittany and Ashley.

TRIBUTE TO MAGISTRATE JUDGE
JOHN "JACK" MASON

HON. BILL LUTHER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. LUTHER. Mr. Speaker, I rise today with a heavy heart to pay tribute to a most wonderful man, Magistrate Judge John "Jack" Mason, a personal friend of mine who passed away recently at the age of 63.

It has been said that no person is honored for what they receive but rather for what they give, and Jack Mason gave much during his many years in public service. A lawyer and judge, Jack had a vision and passion that served him well in his professional career. Most important, however, Jack understood that vision and passion mean nothing without love, and he spent his life earning the devotion of his family and many friends.

Jack was born in Mankato and earned a degree from Macalester College in St. Paul, where he developed a lifelong friendship with U.N. Secretary General Kofi Annan. After graduating from Harvard Law School in 1963, he worked hard as a partner and trial lawyer at Dorsey & Whitney in Minneapolis for 32 years. He took time along the way to serve as Minnesota solicitor in 1971 and state deputy attorney general from 1972 to 1973, and also served on the Minneapolis school board from 1973 to 1980.

In 1985, Jack Mason was appointed a Federal magistrate judge. His ability to speak fluent German, along with his knowledge of Italian, French, Spanish, Korean, and Arabic, made his performance of naturalization ceremonies a sight to behold. He took great pleasure from knowing that people could comfortably communicate their concerns to him in the language of their choice.

Jack is survived by his beloved wife, Vivian, as well as his daughter Kathleen, sons Peter and Michael, two brothers, and two sisters.

Mr. Speaker, looking back at Jack's life, we see a man who was dedicated to serving the public good. It is without exaggeration that I say all of us who knew him feel blessed to have been in his company. Honoring Jack Mason's memory is the least we can do today to

recognize all that he did for others during the 63 years of his life.

SOUTHERN CALIFORNIA WILD
HERITAGE WILDERNESS ACT IN-
TRODUCTION

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Ms. SOLIS. Mr. Speaker, I rise today to introduce the Southern California Wild Heritage Wilderness Act of 2002.

During the last 20 years, 675,000 acres of unprotected wilderness—approximately the size of Yosemite National Park—have lost their wilderness character due to activities such as logging, mining and development. We cannot let this destruction of our most precious resources continue unchecked!

This groundbreaking legislation will preserve about 1.6 million acres of Southern California wilderness for generations to come.

As a child, my family did not have the financial resources to travel to expensive, vacation spots. But my family's best memories are from family outings to the Azusa canyon in our local National Forest. This is where we learned to appreciate the world around us. We were fortunate enough to be able to travel a few miles to enjoy the great outdoors at the foothills of the Angeles National Forest.

Families like mine continue to use Federal lands to vacation, hike, swim and appreciate nature. As this relationship grows, so does our concern about the future of our precious lands. People, regardless of race or income, are overwhelmingly concerned about our natural resources.

The community I represent is 60% Latino and 30% Asian. We have one of the highest unemployment rates in the country. One might think that our main concern is putting food on the table. But with 3 Superfund sites, 17 gravel pits, and 2 rivers that resemble sewer channels, our concerns are many—and especially the environment!

My community's interest is not unusual. Studies show that 96% of Latinos believe that the environment should be an important priority for this country. And this statistic isn't just confined to Hispanics. African Americans, Native Americans, Caucasians, Asian Americans—we all care about the environment.

In the coming decades, the population of California is expected to skyrocket. In Los Angeles alone, population growth estimates predict that the number of people will at least double. According to the University of Southern California's Sustainable Cities Program, 3 to 4 acres of open or green space are needed per 1000 people for a healthy environment. In my urban area, there is less than ½ acre per 1000 people. This is a nation-wide trend.

With more people and less space, we have to start planning so that we don't look around one day and realize that all we see is concrete buildings, congested highways and smoggy cities. We have to plan for environmental preservation now so that our natural resources are not destroyed by carelessness and over-development.

The Southern California Wild Heritage Wilderness bill will put us on the right track so that our environment is not the victim of our

population but growth, a managed approach which respects communities and open space.

This bill will also give working families an opportunity to enjoy and learn about the environment. It will provide the open space needed to create a safe haven where people can get away from the city, the smog, the noise, and the daily hazards of urban life to experience nature and enjoy quality time with family and friends.

These lands also hold a lot of cultural value. This bill will protect sacred lands of California's Native American Tribes.

This bill will honor our natural resources—our forest, streams, lakes, and wildlife.

I am pleased to be a part of this effort and look forward to protecting our natural resources for generations to come.

PRIVATIZING AIR TRAFFIC
CONTROLLERS

HON. JIM MATHESON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. MATHESON. Mr. Speaker, it is with concern that I rise to discuss the President's Executive Order to strip air traffic controllers of their inherently governmental function status.

I believe first and foremost that the greatest responsibility of the federal government is to ensure the public's safety. Taking steps toward privatizing our air traffic controllers could impede our safety efforts. Privatizing air traffic control systems has consistently proven to jeopardize air safety.

Both Great Britain and Canada have privatized their air traffic control systems and both have run into massive debts, increased costs for airlines and higher prices for consumers. The British system, that began operating only eleven months ago, is currently facing bankruptcy. Even after a government bailout of 30 million pounds, airlines are seeing burgeoning shortfalls of up to 80 million pounds.

In Canada, there are many problems with the privatized system. Canadian air traffic controllers are preparing to strike while Air Canada President Robert Milton exclaimed, "I think we have a long way to reach the levels of efficiency that exist in the US."

Mr. Speaker, why would we take steps toward privatizing America's air traffic controllers when we just decided it was more effective to make airport security screeners federal employees?

Privatizing our air traffic control system would be a terrible step backward as the Administration looks to consolidate and improve the abilities of our national homeland defense agencies.

ALFRED GRISANTI

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. KUCINICH. Mr. Speaker, I rise to honor the memory of Alfred Grisanti who served the City of Cleveland as a member of the City Council from 1944 to 1954 and then as an ac-

tivist private citizen for many more decades. Mr. Grisanti was a fearless defender of the public interest, challenging the rationale of an urban renewal program years before its collapse. He was a visionary who understood that the best intentions of government had to be followed up by serious planning. The Urban renewal program in Cleveland in the 1950s moved tens of thousands of city residents out of their inner-city housing and gave the land to institutional and private interests. There was no program for relocation of residents, who were often forced into tenement districts where living conditions were intolerable; poor housing, poor health care, segregated schools. Mr. Grisanti waged a long and lonely challenge to the program on behalf of the dispossessed and small businesses. Years later was proven to have been right, as the urban renewal program of the 1950s became part of the civil rights disasters of the 1960s.

Mr. Speaker, Alfred Grisanti brought a fighting spirit into city politics. He was a member of one of the most famous college football teams in American history, the Fighting Irish of Notre Dame, under legendary coach Knute Rockne. He was a reserve end on Notre Dame's national championship teams of 1929 and 1930. He graduated from Notre Dame in 1931, with a degree in economics. He later earned a law degree from Western Reserve School of Law. In 1948 he was a delegate to the Democratic National Convention. Mr. Grisanti often used football analogies in his legal and political discussions. His love of football, the law and politics continued throughout his life and his friendships spanned all three fields from one end of America to the other.

Mr. Speaker, it is appropriate that this United States House of Representatives pay tribute to the memory of Mr. Alfred C. Grisanti. True to the fight song of his Alma Mater, 'Down through the years, he has re-echoed the cheers, and through his efforts brought fame' to Notre Dame, to his profession, to his city and to his own family name.

EXECUTIVE ORDER ISSUED BY
PRESIDENT BUSH

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. COSTELLO. Mr. Speaker, I rise today in opposition to the Executive Order issued by President Bush that stated that air traffic control is no longer an inherently governmental function. I am deeply concerned that this is the first step in an unwise attempt to privatize our nation's air traffic control system. As we are considering consolidating federal agencies into the Department of Homeland Security, I believe it is unadvisable to make changes to successful federal organizations.

Our nation has the best air traffic control system in the world. The professionalism of our air traffic controllers allowed for the rapid and safe clearing of American airspace after the events of the 11th. It seems to me that given the recent terrorist attacks and on-going threats to homeland security, it is imperative that we maintain our current system of air traffic controllers, who have done such a good job of keeping our air space safe.

Three nations that have privatized their air traffic control operations have been disappointed with the results. Great Britain's experiment with privatization has left the air traffic control system facing bankruptcy and frequent performance setbacks. Canada is also facing revenue shortages in its air traffic control system as well as a potential strike by the employees because of working conditions. In Australia, air traffic controllers walked out of airports earlier this year to protest stalled pay talks and have continuing concerns about on-the-job stress and fatigue.

Clearly, these are not systems that the United States should be striving to replicate. Privatizing air traffic control is a bad idea. Our government should not be looking to place profits over safety.

I urge my colleagues to join me in expressing opposition to the President's executive order stripping the inherently governmental designation from our air traffic control system. Our nation's air traffic control system is strong and safe; privatization will only make it weak.

IN HONOR OF COLONEL WILEY
EDWIN "BUD" ANDREWS

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. ETHERIDGE. Mr. Speaker, today I rise to pay tribute to one of North Carolina's favorite sons, Colonel Wiley Edwin "Bud" Andrews, upon his retirement from the North Carolina National Guard.

Theodore Roosevelt, our nation's 25th President and a member of the National Guard, once said:

It is not the critic who counts . . . The credit belongs to the man who is actually in the arena, whose face is marred by dust; sweat and blood; who strives valiantly . . . who knows the great enthusiasm, the great devotions who spends himself in a worthy cause; who . . . knows in the end the triumph of higher achievement.

For thirty-two years and five months Colonel Andrews has actually been in that arena, Mr. Speaker, as he has served in our nation's military. As a member of the National Guard, Colonel Andrews has participated in a number of important emergency response efforts and has helped spread and foster democracy through his work in the former Soviet Republic of Moldova.

Since he joined the National Guard at the age of 20, Colonel Andrews has become a decorated and experienced guard member. He began his military career as a Medical Platoon Leader and quickly rose through the ranks to be a Finance Maintenance Battalion Commander and finally serving as Deputy Commander of the United States Property and Fiscal Office. Indeed, Colonel Andrews has served his state and nation with distinction and devotion through two deployments to South Korea and by negotiating the Memorandum of Understanding with Moldova. In addition to his many awards and accomplishments, he is also a graduate of the prestigious U.S. Army War College. Now, at the close of his military career, Colonel Andrews is truly an example of "the triumph of higher achievement."

In his retirement, Colonel Andrews will not step out of the arena of which President Roosevelt so eloquently spoke. Bud is, and will continue to be, an integral part of Johnston County and the town of Smithfield where he lives. After rising to the rank of Eagle Scout and his graduation from Campbell University, Bud became President of the Capital City Jaycees in Raleigh. In Johnston County, Bud became a State Vice President for Community Affairs of the North Carolina Jaycees and a Jaycee International Senator. Bud has further served his community as President of the Johnston County Young Democrats, the Downtown Smithfield Development corporation, and the Greater Smithfield-Selma Chamber of Commerce. Bud has also had a successful career as a Vice President and Commercial Banker for the First Bank and Trust Company. Currently, he is serving as Chairman of the Johnston County Tourism Authority. Clearly, Bud's "great enthusiasm" for community service has yielded great results for Johnston County and the town of Smithfield.

Mr. Speaker, the National Guard is one of the most respected and reliable military forces in the world, and Colonel Bud Andrews has been a vital part of the North Carolina Guard's success. On behalf of a grateful state, and nation, I thank him for his selfless service to his country, and wish him all the best in his future endeavors.

May God's strength, peace, and joy be with him always.

COMMEMORATING AND ACKNOWLEDGING DEDICATION AND SACRIFICE MADE BY MEN AND WOMEN KILLED OR DISABLED WHILE SERVING AS PEACE OFFICERS

SPEECH OF

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 2002

Mr. HASTINGS of Florida. Mr. Speaker, I rise today in support of H. Res. 406, a resolution commemorating and acknowledging the dedication and sacrifice made by the men and women killed or disabled while serving as peace officers.

Each day more than 700,000 peace officers patrol the streets and borders of this nation. They work tirelessly to stamp out crime, eradicate drugs, and preserve civility. They knowingly and willingly make a commitment to uphold the law of this country at any cost. There are truly no words to express my gratitude to the commitment peace officers make day in and day out, but these will have to do. Because of these noble men and women, Americans can sleep better at night knowing that their streets are safe and borders are secure.

On September 11, our nation lost 70 peace officers in a single act of violence, the largest number of law enforcement officers our nation has ever lost in a single act. However, we can rest assured that more than 740,000 peace officers continue to work on the behalf of the American people. They have vowed to ensure peace and will not rest until that promise is made true.

In appreciation of peace officers efforts, Congress has recognized May 15 as the day

in which we will nationally acknowledge the men and women who gave their life or way of life for peace. By enacting H. Res. 406, Congress joins the families of more than 14,000 fallen law enforcement officers since this country's birth. 14,000 officers that gave their life so Americans can preserve their way of life. There is truly no greater gift. Therefore, Mr. Speaker I stand before you today to show my enthusiastic support of H. Res 406.

PERSONAL EXPLANATION

HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mrs. JONES of Ohio. Mr. Speaker, I did not vote in Rolls 226, 227, 228, and 229 of June 13, 2002 due to a family commitment. Had I been present, the record would reflect that I would have voted:

Rollcall No. 226 Providing For Consideration of H.R. 4019, "nay".

Rollcall No. 227 On Approving The Journal, "yea".

Rollcall No. 228 Matsui Amendment, "yea".

Rollcall No. 229 Final Passage H.R. 4019, "nay".

COMMENDING THE STUDENT COUNCIL OF OAK RIDGE HIGH SCHOOL

HON. ZACH WAMP

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2002

Mr. WAMP. Mr. Speaker, the September 11th terrorist attacks were an unprecedented assault upon the American way of life. It is important that we memorialize the civilians who were killed and console the friends and families who would never want their loved ones to be forgotten. I would like to commend the Oak Ridge High School Student Council in Oak Ridge, Tennessee for their plan to do just that.

Since September 17th, they have been working tirelessly to earn support for their plan to purchase all of the scrap steel from the World Trade Center rubble and fashion it into memorial displays for every cooperating high school in America. Their proposal also suggests that a plaque would be affixed to the steel describing the events in New York City, Washington, D.C., and Pennsylvania as a visible reminder of that dreadful moment in our history. Students at ORHS, along with their Student Council Advisor Kenneth Senter, have received the endorsement of their school leaders, their city leaders, and their state legislature. Over one hundred students have helped raise money, write letters, and propose memorial designs. Their next step is to build the sanction of their local government by starting a charitable fund that will pursue national contributions and cooperation.

They call on all citizens of this nation—every student, every teacher, every parent, and every leader to contemplate the potential of these memorials. They call on all communities in this nation to come together at unveiling ceremonies across this country to remember that we are all one community and that we

arc all one people who firmly resolve to protect liberty and security. They call on everyone who passes by these scarred remnants to

work harder, learn more, teach more, and love more.

Through this undertaking, these students are learning the true meaning of citizenship. I

applaud their efforts and wish them continued success in their endeavor.

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 Tuesday, June 18, 2002 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 19

9:30 a.m.
Energy and Natural Resources
To hold hearings on S. 2473, to enhance the Recreational Fee Demonstration Program for the National Park Service; and S. 2607, to authorize the Secretary of the Interior and the Secretary of Agriculture to collect recreation fees on Federal lands.

SD-366

Commission on Security and Cooperation in Europe

To hold hearings to examine the current human rights atmosphere in Kosovo, focusing on the rights of ethnic minorities to return home, human trafficking, and the rising tensions between the region's ethnic minorities.

SD-124

Health, Education, Labor, and Pensions
Business meeting to consider 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; S. 1115, to amend the Public Health Service Act with respect to making progress toward the goal of eliminating tuberculosis; S. 710, to require coverage for colorectal cancer screenings; and pending nominations.

SD-430

10 a.m.
Commerce, Science, and Transportation Communications Subcommittee
To hold hearings to examine future sufficiency and stability of the Universal Service Fund.

SR-253

Intelligence
To hold joint closed hearings with the House Permanent Select Committee on Intelligence to examine certain events surrounding September 11, 2001.

S-407, Capitol

10:30 a.m.
Judiciary
Crime and Drugs Subcommittee
To hold hearings to examine penalties for white collar offenses.

SD-226

Governmental Affairs
To hold hearings on the nomination of Michael D. Brown, of Colorado, to be Deputy Director of the Federal Emergency Management Agency.

SD-342

1:45 p.m.
Health, Education, Labor, and Pensions
To hold hearings on proposed legislation authorizing funds for the National Science Foundation, focusing on math and science research, development, and education in the 21st century.

SD-430

2:30 p.m.
Foreign Relations
Western Hemisphere, Peace Corps and Narcotics Affairs Subcommittee
To hold hearings on S. 1017, to provide the people of Cuba with access to food and medicines from the United States, to ease restrictions on travel to Cuba, to provide scholarships for certain Cuban nationals.

SD-419

Commerce, Science, and Transportation Science, Technology, and Space Subcommittee
To hold hearings to examine the National Aeronautics and Space Administration, focusing on education programs.

SR-253

Intelligence
To hold joint closed hearings with the House Permanent Select Committee on Intelligence to examine certain events surrounding September 11, 2001.

S-407, Capitol

Appropriations
Treasury and General Government Subcommittee
To hold hearings to examine the effectiveness of the National Youth Anti-Drug Media Campaign.

SD-192

JUNE 20

9:30 a.m.
Commission on Security and Cooperation in Europe
To hold joint hearings to examine human rights in Greece, focusing on minority rights, religious liberty, freedom of the media, human trafficking, and domestic terrorism.

334, Cannon Building

Environment and Public Works
Superfund, Toxics, Risk, and Waste Management Subcommittee
To hold hearings to examine lessons learned from asbestos remediation activities in Libby, Montana, as well as home insulation concerns relating to asbestos.

SD-406

Armed Services
To hold hearings on the nomination of Gen. Ralph E. Eberhart, USAF, for re-

appointment to the grade of general and to be Commander in Chief, United States Northern Command/Commander, North American Aerospace Defense Command.

SH-216

Governmental Affairs
To hold hearings to examine the President's proposal to create a Department of Homeland Security.

SD-106

Aging
To hold hearings to examine long-term care financing.

SD-628

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine global climate change, focusing on the U.S. Climate Action Report.

SR-253

Health, Education, Labor, and Pensions
To hold hearings to examine workers freedom of association, focusing on obstacles to forming unions.

SD-430

Judiciary
Business meeting to consider pending calendar business.

SD-226

1:30 p.m.
Appropriations
Transportation Subcommittee
To hold hearings to examine Amtrak's financial condition.

SD-192

2:30 p.m.
Energy and Natural Resources
National Parks Subcommittee
To hold hearings on S. 139/H.R. 3928, to assist in the preservation of archaeological, paleontological, zoological, geological, and botanical artifacts through construction of a new facility for the University of Utah Museum of Natural History, Salt Lake City, Utah; S. 1609/H.R. 1814, to amend the National Trails System Act to direct the Secretary of the Interior to conduct a study on the feasibility of designating the Metacomet-Monadnock-Mattabesett Trail extending through western Massachusetts and central Connecticut as a national historic trail; S. 1925, to establish the Freedom's Way National Heritage Area in the States of Massachusetts and New Hampshire; S. 2196, to establish the National Mormon Pioneer Heritage Area in the State of Utah; S. 2388, to direct the Secretary of the Interior to study certain sites in the historic district of Beaufort, South Carolina, relating to the Reconstruction Era; S. 2519, to direct the Secretary of the Interior to conduct a study of Coltsville in the State of Connecticut for potential inclusion in the National Park System; and S. 2576, to establish the Northern Rio Grande National Heritage Area in the State of New Mexico.

SD-366

Intelligence
To hold closed hearings to examine certain intelligence matters.

SH-219

JUNE 21

9:30 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine the importance of summer school to student achievement and well being.

SD-430

10 a.m.

Judiciary

Immigration Subcommittee

To hold hearings to examine the plight of North Korean refugees.

SD-226

JUNE 25

10 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings to examine the nomination of Phyllis K. Fong, of Maryland, to be Inspector General, Department of

Agriculture; the nomination of Walter Lukken, of Indiana, to be a Commissioner of the Commodity Futures Trading Commission; the nomination of Douglas L. Flory, of Virginia, to be a Member of the Farm Credit Administration Board, Farm Credit Administration; and the nomination of Sharon Brown-Hruska, of Virginia, to be a Commissioner of the Commodity Futures Trading Commission for the remainder of the term expiring April 13, 2004.

SR-332

JUNE 27

9:30 a.m.

Appropriations

Transportation Subcommittee

Commerce, Science, and Transportation

Surface Transportation and Merchant Marine Subcommittee

To hold joint hearings to examine cross border trucking issues.

SR-253

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5623–S5641

Measures Introduced: Three bills were introduced, as follows: S. 2628–2630. **Page S5632**

Measures Reported: S. 1917, to provide for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st Century, with an amendment in the nature of a substitute. (S. Rept. No. 107–163)

S. 2024, to amend title 23, United States Code, to authorize use of electric personal assistive mobility device on trails and pedestrian walkways constructed or maintained with Federal-aid highway funds. (S. Rept. No. 107–164) **Page S5632**

Terrorism Risk Insurance Act: Senate continued consideration of S. 2600, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism, taking action on the following amendments proposed thereto: **Pages S5624–27**

Pending:

Brownback Amendment No. 3843, to prohibit the patentability of human organisms. **Pages S5624–25**

Ensign Amendment No. 3844 (to Amendment No. 3843), to prohibit the patentability of human organisms. **Page S5624**

A motion was entered to close further debate on Brownback Amendment No. 3843 (listed above) and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Wednesday, June 19, 2002. **Page S5625**

Senate will continue consideration of the bill on Tuesday, June 18, 2002, with a vote on the motion to close further debate on the bill to occur at approximately 9:45 a.m.

Nominations Received: Senate received the following nominations:

John S. Bresland, of New Jersey, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

Jeffrey S. Merrifield, of New Hampshire, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2007. (Reappointment)

Norman J. Pattiz, of California, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2004. (Reappointment)

Ellen R. Sauerbrey, of Maryland, for the rank of Ambassador during her tenure of service as the Representative of the United States of America on the Commission on the Status of Women of the Economic and Social Council of the United Nations.

1 Air Force nomination in the rank of general.

1 Army nomination in the rank of general.

A routine list in the Army. **Page S5641**

Executive Communications: **Page S5630**

Petitions and Memorials: **Pages S5630–32**

Additional Cosponsors: **Pages S5632–33**

Statements on Introduced Bills/Resolutions: **Pages S5633–34**

Additional Statements: **Pages S5629–30**

Amendments Submitted: **Pages S5634–41**

Adjournment: Senate met at 2 p.m., and adjourned at 3:27 p.m., until 9:30 a.m., on Tuesday, June 18, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5641).

Committee Meetings

(Committees not listed did not meet)

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to consider intelligence matters, but made no announcements, and recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 9 public bills, H.R. 4945–4953; and 2 resolutions, H.J. Res. 98 and H. Res. 445, were introduced. **Pages H3600–01**

Reports Filed: Reports were filed as follows:

H.R. 3307, to authorize the Secretary of the Interior to acquire the property known as Pemberton's Headquarters and to modify the boundary of Vicksburg National Military Park to include that property (H. Rept. 107–508);

H.R. 3858, to modify the boundaries of the New River Gorge National River, West Virginia (H. Rept. 107–509); and

H. Res. 444, providing for consideration of the Senate amendments to H.R. 327, to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses (H. Rept. 107–510). **Page H3600**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Culberson to act as Speaker pro tempore for today. **Page H3565**

Journal: Agreed to the Speaker's approval of the Journal of Thursday, June 13 by a yea-and-nay vote of 307 yeas to 45 nays, Roll No. 230.

Pages H3566–67, H3578–79

Recess: The House recessed at 12:43 p.m. and reconvened at 2 p.m. **Page H3566**

Recess: The House recessed at 3:08 p.m. and reconvened at 6:30 p.m. **Page H3578**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Martin's Cove, Wyoming Land Transfer: H.R. 4103, amended, to direct the Secretary of the Interior to transfer certain public lands in Natrona County, Wyoming, to the Corporation of the Presiding Bishop; **Pages H3567–70**

James V. Hansen Shoshone National Trail: H.R. 3936, amended, to designate and provide for the management of the Shoshone National Recreation Trail. Agreed to amend the title so as to read: "A bill to designate and provide for the management of the James V. Hansen Shoshone National Trail, and for other purposes."; **Pages H3570–71**

Pu'uhonua O Honaunau National Historical Park, Hawaii Boundary Expansion: H.R. 1906,

amended, to amend the Act that established the Pu'uhonua O Honaunau National Historical Park to expand the boundaries of that park; **Pages H3571–73**

National Homeownership Month: H. Con. Res. 415, recognizing National Homeownership Month and the importance of homeownership in the United States (agreed to by a yea-and-nay vote of 358 yeas with none voting "nay," Roll No. 231); and

Pages H3573–76, H3579

Meningitis Awareness Month: H. Con. Res. 340, supporting the goals and ideals of Meningitis Awareness Month (agreed to by a yea-and-nay vote of 360 yeas with none voting "nay," Roll No. 232).

Pages H3576–78, H3579–80

Prescription Drug Benefit Plan: Agreed that the requirement of clause 2(c)(1) of rule XII not apply to a bill that includes a proposal to provide a prescription drug benefit plan. Clause 2(c)(1) of rule XII stipulates that the Speaker shall designate a committee of primary jurisdiction with respect to the referral of a matter. **Page H3580**

Senate Messages: Message received from the Senate today appears on page H3567.

Referrals: S. 672 and S. 1770 were held at the desk.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of the House today and appear on pages H3578–79, H3579, and H3579–80. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 9:41 p.m.

Committee Meetings

HOMELAND SECURITY REORGANIZATION

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing on "Homeland Security Reorganization: What Impact on Federal Law Enforcement and Drug Interdiction?" Testimony was heard from Adm. Robert E. Kramek (Ret.), USCG, former Commandant, U.S. Coast Guard, Department of Transportation; the following former officials of the Department of Justice: Donnie Marshall, Administrator, DEA; and Douglas M. Kruhm, Assistant Commissioner, U.S. Border Patrol, INS; the former officials of the Department of the Treasury: Peter K. Nunez, Secretary for Enforcement; and Sam Banks, Acting Commissioner, U.S. Customs Service; and a public witness.

**MOTION TO CONCUR WITH SENATE
AMENDMENTS—SMALL BUSINESS
PAPERWORK RELIEF ACT**

Committee on Rules: Granted, by voice vote, a resolution providing for a single motion offered by the Chairman of the Committee on Government Reform, or his designee, to concur in the Senate amendments to H.R. 327, Small Business Paperwork Relief Act of 2002. The resolution provides one hour of debate in the House on the motion equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform. The resolution waives all points of order against consideration of the motion to concur in the Senate amendments and provides that the previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST of June 13, 2002, p. D613)

S. 1372, to reauthorize the Export-Import Bank of the United States. Signed on June 14, 2002. (Public Law 107-189)

**COMMITTEE MEETINGS FOR TUESDAY,
JUNE 18, 2002**

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: business meeting to mark up the proposed Public Company Accounting Reform and Investor Protection Act of 2002, 10 a.m., SD-538.

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Affairs, Foreign Commerce, and Tourism, to hold hearings to examine steroid use in professional baseball and anti-doping issues in amateur sports, 9:30 a.m., SR-253.

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests, to hold hearings on S. 198, to require the Secretary of the Interior to establish a program to provide assistance through States to eligible weed management entities to control or eradicate harmful, non-native weeds on public and private land; S. 1846, to prohibit oil and gas drilling in Finger Lakes National Forest in the State of New York; S. 1879, to resolve the claims of Cook Inlet Region, Inc., to lands adjacent to the Russian River in the State of Alaska; S. 2222, to resolve certain conveyances and provide for alternative land selections under the Alaska Native Claims Settlement Act related to Cape Fox Corporation and Sealaska Corporation; S. 2471, to provide for the independent investigation of Federal wildland firefighter fatalities; and S. 2482, to direct the Secretary of the Interior to grant to Deschutes

and Crook Counties in the State of Oregon a right-of-way to West Butte Road, 2:30 p.m., SD-366.

Committee on Environment and Public Works: to hold hearings to examine water resources development programs within the U.S. Army Corps of Engineers, 2:30 p.m., SD-406.

Committee on Finance: to hold hearings to examine the protection of seniors from abuse and neglect, 10 a.m., SD-215.

Full Committee, business meeting to resume markup of H.R. 7, to provide incentives for charitable contributions by individuals and businesses, to improve the effectiveness and efficiency of government program delivery to individuals and families in need, and to enhance the ability of low-income Americans to gain financial security by building assets; and to begin markup of S. 2498, to amend the Internal Revenue Code of 1986 to require adequate disclosure of transactions which have a potential for tax avoidance or evasion; and S. 2119, to amend the Internal Revenue Code of 1986 to provide for the tax treatment of inverted corporate entities and of transactions with such entities, 2:30 p.m., SD-215.

Committee on Indian Affairs: to hold oversight hearings to examine the implementation of the Texas Restoration Act, to provide for the restoration of Federal recognition to the Ysleta del Sur Pueblo and the Alabama and Coshatta Indian Tribes of Texas (P.L. 100-89), 10 a.m., SR-485.

Select Committee on Intelligence: to hold joint closed hearings with the House Permanent Select Committee on Intelligence to examine certain events surrounding September 11, 2001, 10 a.m., S-407, Capitol.

Full Committee, to hold joint closed hearings with the House Permanent Select Committee on Intelligence to examine certain events surrounding September 11, 2001, 2:30 p.m., S-407, Capitol.

Committee on the Judiciary: to hold hearings to examine proposals to reform the death penalty, 10 a.m., SD-226.

House

Committee on Appropriations, Subcommittee on Treasury, Postal Service and General Government, on OPM, 10 a.m., 2359 Rayburn.

Committee on Education and the Workforce, Subcommittee on Employer-Employee Relations, hearing on "The Rising Cost of Health Care: How are Employers and Employees Responding?" 11:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, to consider the Medicare Modernization and Prescription Drug Act of 2002, 1:30 p.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises, to continue hearings entitled "Insurance Regulation and Competition for the 21st Century," Part III, 2 p.m., 2128 Rayburn.

Subcommittee on Housing and Community Opportunity, to mark up H.R. 3995, Housing Affordability for America Act of 2002, 2 p.m., 2220 Rayburn.

Committee on Government Reform, Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Relations, hearing on H.R. 1081, Accountability for Presidential Records Act, 10 a.m., 2154 Rayburn.

Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Relations, to mark up the following bills: H.R. 4685, Accountability of Tax Dollars Act of 2002; H.R. 4978, Improper Payments Reduction Act of 2002, 3 p.m., 2154 Rayburn.

Committee on International Relations, Subcommittee on Middle East and South Asia, hearing on Recent Developments in the Middle East, 1:30 p.m., 2172 Rayburn.

Committee on the Judiciary, to continue markup of H.R. 3215, Combating Illegal Gambling Reform and Modernization Act; and to mark up the following bills: H.R. 1452, Family Reunification Act of 2001; H.R. 4623, Child Obscenity and Pornography Prevention Act of 2002; H.R. 4477, Sex Tourism Prohibition Improvement Act of 2002; H.R. 4679, Lifetime Consequences for Sex Offenders Act of 2002; H.R. 4858, to improve access to physicians in medically underserved areas; H. Res. 417, recognizing and honoring the career and work of Justice C. Clifton Young; and H.R. 4864, Anti-Terrorism Explosives Act of 2002, 10 a.m., 2141 Rayburn.

Subcommittee on Crime, Terrorism, and Homeland Security, hearing on H.R. 912, Innocence Protection Act of 2001, 4 p.m., 2237 Rayburn.

Committee on Resources, hearing on H.R. 4840, Sound Science for Endangered Species Act Planning Act of 2002, 2 p.m., 1334 Longworth.

Committee on Rules, to consider the following: H.R. 2114, National Monument Fairness Act; H.R. 3389, National Sea College Program Act Amendments of 2002; H.R. 1979, Small Airport Safety, Security, and Air Service Improvement Act of 2002; and H.R. 4931, Permanent Retirement Security and Pension Reform Act of 2002, 4:30 p.m., H-313 Capitol.

Committee on Transportation and Infrastructure, Subcommittee on Highways and Transit, hearing on Intermodalism: Moving America's People and Goods, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, to mark up the following: Medicare Modernization and Prescription Drug Act of 2002; and H.R. 4946, Improving Access to Long-Term Care Act of 2002, 1 p.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 certain events surrounding September 11, 2001, 10 a.m., S-407, Capitol.

Joint Meetings: Senate Select Committee on Intelligence, to hold joint closed hearings with the House Permanent Select Committee on Intelligence to examine certain events surrounding September 11, 2001, 2:30 p.m., S-407, Capitol.

Next Meeting of the SENATE

9:30 a.m., Tuesday, June 18

Next Meeting of the HOUSE OF REPRESENTATIVES

10:30 a.m., Tuesday, June 18

Senate Chamber

Program for Tuesday: Senate will resume consideration of S. 2600, Terrorism Risk Insurance Act, with a vote on the motion to close further debate on the bill to occur at approximately 9:45 a.m.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

House Chamber

Program for Tuesday: Consideration of Suspensions:

- (1) H.R. 3250, Sioux Code Talkers Recognition Act;
- (2) H.R. 4794, Ronald C. Packard Post Office, Ocean-side, California; and
- (3) H.R. 4717, Jim Fonteno Post Office, Pasadena, Texas;

Consideration of H. Res. 444, providing for a motion to concur in the Senate amendments to H.R. 327, Small Business Paperwork Relief Act.

Extensions of Remarks, as inserted in this issue

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