United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148 WASHINGTON, WEDNESDAY, JUNE 19, 2002 No. 82

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. LATOURETTE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 19, 2002.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

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

PRAYER

The Right Reverend John B. Lipscomb, Bishop, Episcopal Diocese of Southwest Florida, Parrish, Florida, offered the following prayer:

Eternal God, Sovereign and Lord of all, we commend to You those who serve in the several branches of the government of our Nation. Especially we pray this day for the representatives of the people of the United States gathered in this Chamber to seek and to do Your will for those who elected them to this high office. We offer You grateful Thanksgiving for all who serve in this House with honor and integrity. Guard them from the presumption of self-importance and self-interest. Give them clarity of vision and thought. Renew in them a passion for justice and freedom. Endue them with the courage needed to guard the dignity and extend the blessings of liberty to all the people of our great Nation and of the whole Earth. All this we ask in Your holy Name. Amen.

THE JOURNAL

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

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

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

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

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Virginia (Mrs. JO ANN DAVIS) come forward and lead the House in the Pledge of Allegiance.

Mrs. JO ANN DAVIS of Virginia 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, the gentleman from Florida (Mr. DAN MILLER) is recognized for 1 minute to introduce the guest chaplain.

There was no objection.

BISHOP JOHN BAILEY LIPSCOMB

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

Mr. DAN MILLER of Florida. Mr. Speaker, today Bishop John Bailey Lipscomb, who gave our very eloquent prayer this morning, is from my hometown of Bradenton, Florida. Bishop Lipscomb was instituted as the Fourth Bishop of the Episcopal Diocese of Southwest Florida in 1997. The Diocese of Southwest Florida covers the area from Brooksville, Florida, which is north of Tampa, south to Naples, and includes my area along the Gulf of Mexico, as well as portions of the gentlemen from Florida's (Mr. BILIRAKIS), (Mr. YOUNG), (Mr. DAVIS), (Mr. PUTNAM), (Mr. GOSS) and the gentlewoman from Florida's (Mrs. THURMAN) districts in our area of southwest Florida.

Born in Alexandria, Virginia, Bishop Lipscomb grew up in Jacksonville. He received his BA from the University of North Carolina, Asheville, his Master's in Divinity degree from the School of Theology of the University of South Sewanee, his Doctor of Ministry degree from the Graduate Theological Foundation and is a Fellow of the Foundation. Bishop Lipscomb has worked in several States throughout the South and as chaplain of the Louisiana National Guard. Bishop Lipscomb served on active duty during Operation Desert Shield.

Bishop Lipscomb and his wife, Marcie, have two children, Matthew and Natalie, and four grandchildren. The Lipscombs are very active in my community, and I have had the pleasure of working with them personally, especially and most recently on the Boys and Girls Club in Manatee County. It is my honor to be able to welcome him here today and consider him my friend.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, the pending

Printed on recycled paper.

business is the question of the Speaker's approval of the Journal of the last day's proceedings.

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

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 353, nays 42, answered ''present'' 1, not voting 38, as follows:

[Roll No. 236]

YEAS—353

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

NAYS—42

Aderholt
Baird
Baldwin
Borski
Brady (PA)
Capuano
Costello
Crane
DeFazio
English
Etheridge
Filner
Gutknecht
Hefley
Holt
Kennedy (MN)
Kucinich
Larsen (WA)
LoBiondo
Markey
McDermott
McNulty
Moore
Neal
Oberstar
Olver
Peterson (MN)
Platts
Ramstad
Sabo
Sanchez
Schaffer
Strickland
Stupak
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (NM)
Visclosky
Waters
Weller
Wu

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—38

Bachus
Barr
Bishop
Blagojevich
Clay
Collins
Conyers
Cummings
Deal
Delahunt
Ehrlich
Fossella
Herger
Hilliard
Hinojosa
Hulshof
Hyde
Kaptur
Leach
Lewis (GA)
Linder
McHugh
Meek (FL)
Morella
Norwood
Portman
Putnam
Roukema
Sanders
Serrano
Shays
Smith (NJ)
Stark
Sweeney
Towns
Traficant
Wynn
Young (AK)

□ 1028

Mr. MORAN of Kansas changed his vote from ''nay'' to ''yea.''

So the Journal was approved.

The result of the vote was announced as above recorded.

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

Ms. CARSON of Indiana. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 3686.

The SPEAKER pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentlewoman from Indiana?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 387. Concurrent resolution recognizing the American Society of Civil Engineers for reaching its 150th Anniversary and for the many vital contributions of civil engineers to the quality of life of our Nation's people including the research and development projects that have led to the physical infrastructure of modern America.

The message also announced that the Senate has passed a bill and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 2600. An act to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism.

S. Con. Res. 104. Concurrent resolution recognizing the American Society of Civil Engineers on the occasion of the 150th anniversary of its founding and for the many vital contributions of civil engineers to the quality of life of the people of the United States, including the research and development projects that have led to the physical infrastructure of modern America.

The message also announced that the Senate disagrees to the amendment of the House of Representatives to the bill (S. 1214) An Act to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports, and for other purposes, agrees to a conference requested by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HOLLINGS, Mr. INOUYE, Mr. KERRY, Mr. BREAUX, Mr. WYDEN, Mr. CLELAND, Mrs. BOXER, Mr. MCCAIN, Mr. STEVENS, Mr. LOTT, Mrs. HUTCHISON, Ms. SNOWE, Mr. SMITH of Oregon; and for matters in section 108 of the House amendment and sections 112 and 115 of the Senate bill, Mr. GRAHAM and Mr. GRASSLEY, to be the conferees on the part of the Senate.

The message also announced that pursuant to section 6968(a), of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the United States Naval Academy:

The Senator from Mississippi (Mr. COCHRAN), from the Committee on Appropriations.

The Senator from Arizona (Mr. MCCAIN), designated by the Chairman of the Committee on Armed Services.

The Senator from Maryland (Ms. MIKULSKI), from the Committee on Appropriations.

The Senator from Maryland (Mr. SARBANES), At Large.

The message also announced that pursuant to section 4355(a), of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the United States Military Academy:

The Senator from Ohio (Mr. DEWINE), from the Committee on Appropriations (reappointment).

The Senator from Louisiana (Ms. LANDRIEU), from the Committee on Appropriations (reappointment).

The Senator from Rhode Island (Mr. REED), designated by the Chairman of the Committee on Armed Services.

The Senator from Pennsylvania (Mr. SANTORUM), At Large.

The message also announced that pursuant to section 9355(a), of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the United States Air Force Academy:

The Senator from Colorado (Mr. ALLARD), At Large.

The Senator from Georgia (Mr. CLELAND), designated by the Chairman of the Committee on Armed Services.

The Senator from South Carolina (Mr. HOLLINGS), from the Committee on Appropriations (reappointment).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 one-minutes per side.

RECOGNIZING SISTER JEANNE O'LAUGHLIN

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize Sister Jeanne O'Laughlin, President of Barry University in Miami Shores, Florida.

During her 21-year tenure as President, Sister Jeanne has resuscitated a once-dormant campus with limited resources into a thriving, world-class institute of higher learning.

□ 1030

Setting ambitious goals for the university, Sister Jeanne has been a poised and relentless leader in seeing them through to fruition. Once a struggling university with only 2,000 students, Barry now boasts a student population of 8,500. Barry's student body represents more than 70 countries and has earned the distinction of being the most diverse southern regional university.

Sister Jeanne's contributions, however, are not limited to the boundaries of Barry's campus. As a woman of faith and compassion, Sister Jeanne has dedicated herself to serving those in needs. We count children, the homeless, and women among the many lives she has touched.

Please join me in recognizing Sister Jeanne for her selfless commitments to our community and for turning Barry University into a factory of men and women who graduate better prepared to serve their fellow man.

STOP PHARMACEUTICAL COMPANIES FROM ROBBING AMERICAN PEOPLE

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

Mr. BERRY. Mr. Speaker, the great country western music singer Merle Haggard has a song he sings called ''Rainbow Stew.'' One of the lines in that song says, ''One of these days, when the air clears up and the sun comes shining through, we will all be drinking that free Bubble-up and eating that rainbow stew.''

Tonight, the pharmaceutical manufacturers and the insurance companies are going to have a big rainbow stew banquet for the Republicans. They are going to serve free Bubble-up. The pharmaceutical manufacturers in this country are going to pay hundreds of thousands of dollars to do this, and they are pledging millions more in another attempt to deceive the senior citizens in this country and make them think that they are going to get a prescription drug benefit.

Corporate greed in America has gone too far. It is time for this Congress to fulfill its obligation and stop the pharmaceutical companies from robbing the American people.

PRESCRIPTION DRUGS AND PARTISANSHIP

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

Mr. PITTS. Mr. Speaker, Republicans have been working hard to design a plan to help America's seniors get the prescription drugs that they need. No senior should ever have to choose between putting food on the table and getting the medicine they need. American seniors need our help.

Now we have a plan that is working its way through the Committee on Energy and Commerce and the Committee on Ways and Means and should be voted on soon. The Democrats have their plan, too. The Democrats plan may be too expensive and inefficient, but I think we in the majority are willing to work with them.

Unfortunately, it looks like our friends on the other side of the aisle are not willing to reciprocate. The Washington Post reported on Tuesday, and I quote, ''Democratic strategists are advising candidates to tout the Democrats' plan and are encouraging them to take shots at the Republicans.''

Mr. Speaker, that story was written on the same day our plan was unveiled; before even reading it, already attacking it. Looks to me like our friends on the other side of the aisle are just out for political points, not to solve problems. I hope they will prove me wrong.

AMERICANS NEED PRESCRIPTION DRUG RELIEF

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

Ms. SOLIS. Mr. Speaker, this morning in The Washington Post, I read with alarm: ''Drug Firms Among Big Donors at GOP Event Tonight.'' Thirty million dollars is going to be raised.

In lieu of trying to provide a prescription drug benefit for seniors, why can we not do the right thing today and stay as long as it is going to take to make sure that we do the right thing for our seniors?

Every weekend that I go home and speak to my seniors, most of them say, Congresswoman SOLIS, what is it going to take for the Congress to listen to the needs of senior citizens? And I tell them that right now our House is not working in the democratic mode. We are not allowing for discussion and debate so that we can provide assistance and benefits that are much needed by our senior citizens.

This is a sham that is occurring here today, and it is unfortunate that we cannot come together and work in a bipartisan manner to see that our seniors and those that are on fixed incomes receive the kind of relief that is due them.

Many people save their money for their retirement. Right now they are faced with some major hardships. I would ask that Republicans meet with us until after 5 o'clock today, before they go to their fundraiser, and let us get the work done for our seniors on prescription drug relief.

NEW BILL BRINGS HOPE TO SENIORS FACING SKYROCKETING DRUG BILLS

(Mrs. JO ANN DAVIS of Virginia asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, for years, seniors have been saying that they need help with their prescription drug bills. None of us anticipated prescription drugs would be the backbone of modern medicine, and we certainly did not anticipate that the cost would be so high.

I am proud of this new bill that has just emerged which brings a new hope to all seniors who face skyrocketing drug prices. The Medicare Modernization and Prescription Drug Act will ensure that all Medicare beneficiaries will be covered.

Not only that, but those who want to stay with their current coverage may

do that as well. For as little as just over $1 a day, seniors will have the ability to choose among plans to find what works best for their prescription drug needs. Additionally, seniors will enjoy immediate savings through a prescription drug discount card which will be accepted by local pharmacies.

These are just two major components of this groundbreaking new drug bill, and I am glad Congress has answered seniors' call for help.

DRUG FIRMS AMONG BIG DONORS AT GOP EVENT

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

Mr. DEFAZIO. Mr. Speaker, while the purported Republican benefit would total 16 percent of the first $4,500 of prescription drug costs, it would not reduce the outrageous and obscene charges of the pharmaceutical companies. Why? Because they are the sponsors of the big fundraiser tonight.

Mr. Robert Ingram of GlaxoSmithKline, the chief operating officer, is the chief corporate fundraiser. His company has given one quarter of a million dollars to the Republicans, and they have delivered a bill that will do nothing to deal with the outrageous extortionist cost of prescription drugs in the United States of America.

People will still be able to go to Canada and buy drugs manufactured in this country by their major contributors for half the cost, or Mexico for 40 percent of the cost, or Europe for a third of the cost. But, no, not here at home. Our seniors will be offered a Trojan horse benefit, 16 percent of the first $4,500 of their prescription drug cost. Boy, that is really going to help my seniors a lot.

Do my Republican colleagues have no sense of shame, or is it just a sense of humor, to adjourn the House early to go to an event sponsored and paid for by the pharmaceutical companies while offering this phony Trojan horse benefit?

SLAVE MEMORIAL LEGISLATION

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

Mr. STEARNS. Mr. Speaker, today I am joining the gentleman from Ohio (Mr. HALL) in introducing legislation to develop a memorial to American slaves. It must not be forgotten that each slave was an individual and a child of God. Not only do they deserve our remembrance, we owe them our respect.

The legacy of our Nation includes many people, including those who were victims but who chose not to be victimized. As Americans, we naturally understand this universal story of resilience and strength, and with this memorial we have the opportunity to honor those who suffered in bondage yet maintained their humanity.

With this memorial we will remember those who endured slavery and those who fought to end their slavery. In addition, this legislation will educate the current and future generations on the evils of slavery. This discussion cannot stop with the troubles of those who were enslaved, but must continue on to celebrate their deliverance into freedom.

PRESCRIPTION DRUG BENEFIT FOR ALL SENIORS

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

Ms. SANCHEZ. Mr. Speaker, for months now, as I have gone home, I have listened to my seniors. They continue to talk about the high cost of drugs. About 6 months ago, I began to receive early-morning phone calls from my 77-year-old dad. That is when I know things have really gotten out of hand.

He continues to tell me that every place he goes, to the senior center, to the little food banks that he goes to to help out and volunteer, et cetera, that everybody is out of food and, worse, they are paying all their money for drugs, for prescription medication that they need. Every week he tells me a new story about somebody that he knows and how they have to choose between their rent or their doctors' visits or their prescription drugs, and how some people are taking their dose of drugs and halving them or taking one quarter of what they are supposed to take in order to make it last for the month.

Many seniors on fixed incomes have been forced to cut back on basic needs and others have chosen to travel to other countries because the prices are lower. It is shameful that we have not done something about this, and we must work together to do it right. We must do it for all of our seniors.

PARTIAL-BIRTH ABORTION BAN ACT OF 2002

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

Mr. PENCE. Mr. Speaker, throughout the history of Western civilization, we have evaluated the justice of societies by how they treat the most vulnerable and the weakest among them. This is a biblical principle best expressed in the verse, ''Whatsoever you do for the least of these, you do to me.''

Several thousand times a year in the United States, mostly on healthy babies and healthy mothers in the fifth and sixth month of pregnancy, a procedure known as partial-birth abortion takes place, forcibly turning the child to a breach position, pulling the living child out of the mother by the leg, stabbing the child in the base of the skull, removing its brains with a vacuum, and pulling the dead child out of the mother.

We will introduce today the Partial-Birth Abortion Ban Act of 2002. It should break the heart of America. I know, Mr. Speaker, that it breaks the heart of God. Let us bring an end to this devious and evil practice in the United States of America.

REPUBLICAN PRESCRIPTION DRUG PLAN IS ILLUSION FOR SENIORS

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

Mr. ALLEN. Mr. Speaker, the Republican leadership has developed a prescription drug plan for seniors, but it is an illusion. The pharmaceutical industry is pleased: they win, seniors lose under the Republican plan.

Seniors rely on Medicare for their health care, but they are going to have to get their prescription drug coverage from an insurance company, if any company is willing to provide it, and that is not likely in rural America or perhaps anywhere in this country.

No guaranteed benefits, no guaranteed premium, no guaranteed reduction in price. The Republican plan is a vaccine to inoculate Republicans for yet another election against the truth that they continue to protect the pharmaceutical industry at the expense of seniors.

Why did they do it? Today's Washington Post: ''Drug Firms Among Big Donors at GOP Event.'' Today's New York Times: ''Drug Makers Sponsor Event for GOP As Bill Is Debated.'' Corporate greed and political self-interest are married in this Republican bill, and it should be rejected.

RECREATIONAL MARINE EMPLOYMENT ACT

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

Mr. KELLER. Mr. Speaker, I rise today in support of the Recreational Marine Employment Act, which I recently introduced with broad bipartisan support.

The purpose of this legislation is to create thousands of jobs in the recreational marine industry by ensuring that marinas, boat builders, and recreational boaters will not have to pay the unnecessary and exorbitant insurance premiums under the Longshore and Harbor Workers' Compensation Act.

Individuals who work in the recreational marine industry are already covered under State worker's compensation laws, and Congress never intended that these jobs also be covered under the longshore act, which is supposed to apply to commercial ships,

not recreational boats. This bill will provide the commonsense clarification needed under the longshore act.

A recent survey indicated that employers in the recreational marine industry would save an average of $99,000 a year if this legislation passes, and 95 percent of those employers said they would use the money to create additional jobs. I urge my colleagues to call my office today to sign on as a cosponsor of H.R. 4811.

TRIBUTE TO DETROIT RED WINGS—STANLEY CUP CHAMPIONS

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

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to own up to a promise I made to my friend, the gentleman from Michigan (Mr. BONIOR), and, equally important, to honor the World Champion Detroit Red Wings.

Later today, I will also deliver the other part of my friendly wager with the gentleman from Michigan, a big spread of traditional North Carolina barbeque from Bullock's in Durham. And for those of you who may not know, let me clarify for the record: barbeque is a noun, not a verb.

Muhammad Ali once said ''Champions are made from something they have deep inside them, a desire, a dream, a vision.''

Detroit and the entire State of Michigan are a part of that dream today. In the place they call ''Hockeytown,'' the Detroit Red Wings are a team for the ages. Last week, they did more than just win a 10th Stanley Cup. In the end, it was an incredible journey by true legends of the game that will be remembered for a long time to come.

Undaunted by pressure, stoic in the face of defeat, resilient in the fight for glory, the Detroit Red Wings proved once and for all that hockey is a game of confidence and a game of skill. They embody the gritty do-it-yourself spirit that Detroit is known for, and the town embraces them for it.

This series will always hold a special place in my heart. While it ended with the defeat of our Carolina Hurricanes, it will always be remembered as the time when, for a brief moment, hockey amazingly overshadowed basketball in the State of North Carolina.

So congratulations to the Detroit Red Wings, to the city of Detroit, and to the citizens of Michigan.

Now, Mr. Speaker, this speech obviously was written by the gentleman from Michigan (Mr. BONIOR). And as a man of my word, I am gladly reading the tribute that he has written, as promised in our wager. But as a defender of Mayberry—that is how the Detroit media refer to us—I would like to add something unscripted here about North Carolina, ''Hockeytown of the South,'' as we prefer to be called.

□ 1045

Mr. Speaker, the Hurricanes made us proud with their fine performance and their hometown spirit. Excellent in both athletic performance and sportsmanship, they are equally gracious in defeat, setting a good example for their congressman.

I also feel compelled to issue a storm warning. If the gentleman does not know what a ''Category 5'' is, he had better find out before next season!

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

Mr. PRICE of North Carolina. I yield to the gentleman from Michigan.

Mr. BONIOR. Mr. Speaker, I thank the gentleman from North Carolina (Mr. PRICE) for his graciousness and his challenge, but I really look forward to that very tangy, delicious North Carolina barbecue that at this very minute is making its way over the Capitol.

Mr. Speaker, we had 1.2 million people participate in the Red Wings victory parade on Monday. Winning the Stanley Cup has brought our city and State together. As the gentleman from North Carolina (Mr. PRICE) said, hockey is more than just a sport in Detroit, it is a passion. That is why we call it ''Hockeytown.'' In Hockeytown, we serve breakfast by handing out forks to each kid and then dropping an Eggo in the middle of the table.

In Hockeytown, when the traffic signal turns red, we start cheering because we think Steve Yzerman just scored again.

Every once in a while I would say to my Republican friends, I will throw a body check or two around here, I want Members to know it is not personal, I will wind up in the Cloak Room for 2 minutes, but it is where I come from. I come from Hockeytown; that is what it is about.

Mr. Speaker, the North Carolina Hurricanes fought hard. They are worthy opponents. They are good sports, and they have good hearts. The gentleman from North Carolina (Mr. PRICE) is a good sport with a great heart. Babe Ruth once said, ''You may have the greatest bunch of individual stars in the world, but if they do not play together, the club will not be worth a dime.'' Well, the Hurricanes have stars, and they played together; the Red Wings have stars, and they certainly played together, and that is what makes them both great. We in Hockeytown look forward to many more spirited games with our friends from North Carolina.

ECONOMIC RECOVERY REQUIRES AN ENERGY PLAN

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

Mr. GIBBONS. Mr. Speaker, America's economic recovery requires an energy plan, and Americans are watching gas prices in preparation for summer vacations, reminding all of us that oil products are the core of our American economy. If we expect Americans to hop on airplanes and climb into cars, we must immediately implement the House energy plan.

Mr. Speaker, our fellow citizens are also watching for the latest terrorism alerts. If we want our friends to visit our Nation's great cities and landmarks, we must provide them with security. By supporting H.R. 4, we can reduce dependence on foreign oil and make this country safer from unstable rogue nations that consider us their enemy.

H.R. 4 provides for increased domestic oil production, which will increase new jobs and boost economic development. Our economy is growing stronger by the day, but without a new energy plan there is no guarantee that we will have the resources we need to see continued improvement.

Mr. Speaker, H.R. 4 provides long-term answers to our Nation's energy needs. We must reject the radical opposition's political games which may appease special interest groups, but do not reflect this Nation's need for jobs, economic security, nor its energy needs.

TITLE IX

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

Ms. CARSON of Indiana. Mr. Speaker, I rise in celebration of the 30th anniversary of title IX, which requires public schools to grant girls the same access to athletic programs as boys.

Before title IX, women were discouraged from participating in many sports, such as basketball, soccer, wrestling and hockey. Title IX legislation created new opportunities for women to explore and excel in sports traditionally limited to men.

Mr. Speaker, 30 years later, title IX has been the foundation of increased funding for female athletic scholarships, parity in salary among female teachers and their male counterparts, and intolerance of discrimination among females.

Title IX has allowed the number of females participating in interscholastic sports to increase from 300,000 in 1971 to approximately 2.4 million at present. It is important for young women to participate in athletics. Even a small amount of daily physical activity can contribute to health benefits that last a lifetime. By leading an active lifestyle, the risk of diseases can be dramatically reduced. Girls and women participating in sports have higher levels of confidence, stronger self-images, and less depression.

Mr. Speaker, I encourage my colleagues to participate in this vital initiative this week and forever more.

PROMOTE ENERGY INDEPENDENCE

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

Mr. WILSON of South Carolina. Mr. Speaker, 735,000 jobs; 735,000. That is the estimate of the number of jobs that will be created if the President gets to sign a comprehensive energy bill that reduces our dependence on foreign sources of oil.

This body has done its part. Last August the Republican-led House with the support of the President passed the most comprehensive energy package this country has seen in decades.

Unfortunately, our friends on the other side of the Capitol see things a little differently. They voted to ignore working families and some of their own supporters, and instead keep the status quo when it comes to America's dependence on foreign countries for our energy needs. That is too bad because most of our foreign oil comes from the Middle East, which is the least stable part of the world. This is the same Middle East which is the home to thousands of al Qaeda operatives, and this is the same Middle East that houses Saddam Hussein and his tyrannical dictatorship.

Let us put that number, 735,000, in perspective. That number would equal one job for every person in the district I represent. I do not know about the other side of the aisle, but when I can vote to create one job for every citizen in my district, I will not hesitate to do so.

HOME OWNERSHIP MONTH

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

Mrs. JONES of Ohio. Mr. Speaker, as many Members know, June is Home Ownership Month. This past weekend in the great city of Cleveland in the 11th Congressional District of Ohio, we hosted a housing summit. It is wonderful that more than 500 people came out to the housing summit. We had the opportunity to have people get free credit reports. More than 275 people got free credit reports, and we were able to counsel them.

Mr. Speaker, home ownership is a wonderful opportunity. It is an American dream, and this weekend in the 11th Congressional District in Ohio in conjunction with the Congressional Black Caucus Housing Summit, we were able to help Americans realize that dream, for which I am very thankful

PRESCRIPTION DRUG BENEFIT

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

Mr. RYAN of Wisconsin. Mr. Speaker, last night in the Committee on Ways and Means we marked up the biggest change in Medicare in 37 years. It was a good change. What we did in the Committee on Ways and Means last night was provide a comprehensive prescription drug benefit for seniors. We recognize on both sides of the aisle that seniors have problems paying for their medicines.

Medicare is an outdated program. It was written in 1965, and in 2002 it is basically giving seniors 1965 health care. What we have accomplished in this committee and what we are about to accomplish in this Congress is to give seniors a prescription drug benefit that gives them the choice of plans, comprehensive benefits, catastrophic stop-loss coverage, a discount in the price of their drugs, and coverage from dollar one.

This is important, Mr. Speaker, because we also recognize the need that low income seniors who cannot afford deductibles and premiums have a fully subsidized prescription drug benefit. When the other side gnashes their teeth, just remember this: We are acting, we are moving, and we are providing a comprehensive prescription drug benefit for all seniors on Medicare.

SAFE RETURN OF MIRANDA GADDIS AND ASHLEY POND

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

Ms. HOOLEY of Oregon. Mr. Speaker, I come before the House today for the fourth time to again plead for the safe return of two missing girls from my district, Miranda Gaddis and Ashley Pond.

Those who saw the May 23 People magazine cover story on the plight of these girls surely understand the pain and anguish the families of the girls are facing, and also realize that Oregon City, as any small community would be, has been changed drastically by the tragedy.

Unfortunately, these types of abductions are not as rare as we would like. While the vast majority of missing children are due to those who have gotten lost, run away, or been abducted by a parent embroiled in a custody battle, roughly 4,400 are taken each year by nonfamily members who often release them a short time later.

The National Center for Missing and Exploited Children says parents should urge children to remember three steps: No, go, and tell.

They should know it is okay to resist adults and make noise. They should run away if they can; and if they break loose, they can help identify their abductors by remembering details and telling a trusted adult.

Mr. Speaker, we need to protect America's children; and if anyone has any information about Miranda and Ashley, please contact the local FBI office.

PRESCRIPTION DRUG BENEFIT

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

Mrs. MINK of Hawaii. Mr. Speaker, the Committee on Ways and Means has reported out a very modest bill to deal with the issue of prescription drugs. All of us have spoken to senior citizens, gone to their meetings. The issue is not how much can the Congress provide in Medicare coverage, and I must say that the plan that we are going to be debating provides very modest coverage. It does almost nothing until there is $4,500 worth of bills to pay. The real issue for seniors is that the price of prescription drugs has gone completely out of hand.

Unless Congress deals with that issue, no matter how much coverage we give under Medicare, the problem is not solved. The issue is what are we going to do about the skyrocketing costs of these drugs.

Tonight's celebration that the Republicans are all going to is typical of the problem. They are in bed with the pharmaceutical companies. Until we break apart this coalition, the seniors are going to suffer and have to pay more and more. Instead of taking one pill a day, they take one pill every 2 days.

PRESCRIPTION DRUG BENEFIT

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

Mr. UDALL of Colorado. Mr. Speaker, not a day goes by without my hearing from a senior who is struggling to pay for prescription drugs. Recently a senior in the town of Westminister, Colorado, told me how she has to visit the food bank once a week so she can afford her prescription drugs. Another told me how she plays her own version of the lottery. She puts all of her bills in a fish bowl, draws one bill, and the one she draws is the one she puts off paying so she can afford to take the drugs that the doctor tells her she needs.

Unfortunately, these women are not alone. Medicare only covers two-thirds of its enrollees. No senior should be faced with a choice of paying for food, paying the electrical bill, or buying critical lifesaving medicines. We have an obligation to our Nation's seniors to provide them with the lifesaving drugs that they need and deserve.

Mr. Speaker, when we take up, and we need to take up a prescription drug bill next week, we must provide a Medicare drug benefit that is affordable and dependable, without gaps or gimmicks in coverage. Members of Congress, government employees, employees of major corporations have this kind of coverage today. It is time our seniors did, too.

□ 1100

GLOBAL WARMING

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

Mr. INSLEE. Mr. Speaker, global warming is upon us. The glaciers are melting, the West is on fire due to prolonged drought, the tundras of Alaska are melting and the White House has now confirmed this. It has issued a report that says global warming is occurring and we are responsible for it. But what does the White House say they are going to do about it? Nothing. They say we have just got to get used to it.

I was talking to a good young man, my son, who is a sophomore at Bainbridge High School, who says that the 15- and 16-year-old kids understand science enough to know that we have got to do something about global warming. We urge the President to get with the Bainbridge kids, the high school sophomores, who know we have got to do something about this problem. America deserves it and we ought to have it.

FULL PRESCRIPTION DRUG BENEFIT UNDER MEDICARE

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

Mr. LYNCH. Mr. Speaker, I rise today in support of a full drug benefit under Medicare. I have seen firsthand the lengths to which our seniors are forced to go in order to get the prescriptions that they need.

Recently I had the sad occasion to meet with a group of seniors from Massachusetts who were actually boarding a bus to travel to Canada in order to get prescription drugs that were not available to them at an affordable price in Massachusetts or elsewhere in the United States. One of these seniors is a woman named Rosemary Morgan, who is a 67-year-old woman who is fighting a recurring battle with breast cancer. Rosemary needs the drug Tamoxifen in order to keep her disease in check and to prolong her life. We are talking about a prescription drug that she needs desperately, not something that is merely an optional drug. However, because Medicare does not cover the cost of prescription drugs and Rosemary has no other form of drug coverage, she is forced to pay the highest prices in the world for this Tamoxifen. Were she to buy a year's supply at her CVS, it would be $1,468. However, in Canada the same prescription is $155 for a year's supply.

We need to do the right thing by our seniors and adopt a full prescription drug benefit under Medicare.

COMMEMORATION OF JUNETEENTH

(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. Mr. Speaker, today is Juneteenth, June 19, and for many who are not aware of that historical and very special day in America's history, it is the day that we commemorate the discovery that the slaves in the South had been freed. As a representative from the great State of Texas, it was the call from Galveston that indicated 2 years later after the Emancipation Proclamation that there had been a declaration of freedom for the slaves of the United States of America.

We hope that we will have a commission that will commemorate that great history, and as well let me say that I want to announce my joining as an original cosponsor with the gentleman from Ohio (Mr. HALL) and many of my colleagues who will today announce a legislative initiative to establish a monument or a recognition of those who were enslaved in the United States. Our history is our history, and we should recognize that and be prepared to acknowledge the wrongness of that history, but we should capture it and respect those who helped build this country.

Finally, Mr. Speaker, I hope we will move forward in the light of our history to do good things by passing a real prescription drug bill for our seniors, and I hope that that will be done very soon on behalf of our seniors in America who need it.

MOTION TO INSTRUCT CONFEREES ON H.R. 3295, HELP AMERICA VOTE ACT OF 2001

Mr. HASTINGS of Florida. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore (Mr. LATOURETTE). The Clerk will report the motion.

The Clerk read as follows:

Mr. HASTINGS of Florida moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendments to the bill H.R. 3295 be instructed—

(1) to insist upon the provisions contained in section 504(a) of the House bill (relating to the effective date for the Federal minimum standards for State election systems); and

(2) to disagree to the provisions contained in section 104(b) of the Senate amendment to the House bill (relating to a safe harbor from the enforcement of the Federal minimum standards for State election systems for States receiving Federal funds under the bill).

The SPEAKER pro tempore. Pursuant to rule XXII, the gentleman from Florida (Mr. HASTINGS) and the gentleman from Ohio (Mr. NEY) each will control 30 minutes.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

I rise today to offer a motion to instruct conferees on H.R. 3295, the Help America Vote Act. As we all know, conferees are currently involved in negotiations on the many tenacious differences that exist between the bills passed by each Chamber.

My motion to instruct will help provide guidance on what I consider two of the more critical differences that exist between the bills.

Section 1 of this motion instructs House conferees to insist on the date requiring States to conform to minimum national standards of November 2004 contained in the House bill. This is in contrast to the even more delayed 2006 effective date in the Senate bill. Currently under the House bill, States must conform to all minimum national standards within 2 years of the bill's enactment. In the special circumstances where a State can demonstrate to the Department of Justice that the State cannot meet the 2-year requirement, it can receive a waiver until November 2004. Under the Senate bill, States are not required to conform to the minimum national standards until January 2006.

Realize, Americans will return to the polls in November 2004 to elect a President. If the Senate's effective date becomes law, then we may very well face the same election day controversies that engulfed this Nation the last time we tried electing a President.

Section 2 of this motion instructs conferees to disagree with the safe harbor provision contained in section 104(b) of the Senate amendment to H.R. 3295. Under a provision added in the Senate by amendment, States which receive Federal funds under the bill are assumed to be in compliance with the bill's minimum national standards. Under the Senate amendment, States are provided with safe harbor until 2010, or 8 years from now, from being scrutinized or prosecuted for not complying with the minimum national standards in the bill. The one exception is that States can be prosecuted prior to 2010 for failing to conform with accessibility provisions in the bill as they pertain to individuals with disabilities.

If this provision becomes law, then we are giving States zero accountability until 2010 as they go about spending Federal dollars to conform their election systems. This is a horrible and dangerous path to embark on. If there is no enforcement until 2010, then States are essentially given the green light to nonconformity until 2010 despite any other provision in the bill.

Mr. Speaker, this morning I checked the website of the ranking Democrat of the Committee on the Judiciary, the gentleman from Michigan (Mr. CONYERS). His website noted that 515 days have passed since the election day 2000 fiasco. Five hundred fifteen days, Mr. Speaker. In mentioning this number, I remind my colleagues and the American people that on a Federal level, our election system is no better off today than it was on election day 2000. Though some States have taken it upon themselves to reform their election laws, the clear majority have not.

For those which have, like my home State of Florida's baby steps, the need for financial assistance and Federal election reform is real and immediate.

The House did the right thing in appropriating $450 million for election reform in the supplemental. I note that appropriating before authorizing when it came to election reform is something that I called for more than 1 year ago. However, as I said then and I will say again today, $450 million is not enough money.

We should all be thankful for the hard work currently being done in the election reform conference committee by the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER) as well as the gentleman from Michigan (Mr. CONYERS) and all of the conferees. Their leadership in the election reform arena, even during times when many in this body did not want to see any bill, is widely known and much appreciated and I say to BOB and STENY how much I genuinely appreciate the concrete efforts that they put forward to produce a measure here in the House of Representatives.

Unfortunately, Mr. Speaker, the absence of new election laws is as much of an embarrassment today as it was 2 years ago. All too many facts point to the need for Congress to act today. The fact remains that election laws today are the same flawed laws around the country that were in place on election day 2000. The fact remains that while we know what problems exist and we know how to fix them, Congress' response to date has been inadequate at best. The fact remains that voters in many States have already voted in this year's primaries on the same broken system, and I might add that occurred in Florida, that failed them 2 years ago. Even in Florida, some of the newer systems being offered have shown that they have flaws.

Therefore, we need to be about the business of trying to get this whole matter straightened out. Another 12 States will be returning to the polls within the next week to vote with the same faulty technology.

Confidence in our election system is the linchpin of our democracy and we must do anything and everything to restore that confidence with the American people. Contrary to what many argue, election reform is much more than just a civil rights issue. Rather, the need for election reform is a challenge to our democracy. It is a challenge that we cannot back down from and it is a challenge that we will not back down from. My motion to instruct ensures that real and comprehensive election reform occurs before the 2004 presidential election.

In addition, it ensures that the Department of Justice can hold States accountable in cases where they fail to conform to new Federal election laws prior to 2010.

I urge my colleagues to support this motion to instruct.

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

Mr. NEY. Mr. Speaker, I yield myself such time as I may consume. I appreciate the sentiment just expressed in the motion offered by the gentleman from Florida. I nevertheless must oppose it. The gentleman from Florida has shown a tremendous amount of interest in this issue. He has been very passionate and has pushed for action on this issue for quite some time. I remember when I testified at the Committee on Rules last year on the campaign finance reform bill and the gentleman expressed his displeasure that the House was even taking up that issue prior to consideration of election reform. I certainly agreed with him that election reform should have been the priority and I appreciate his support for our efforts.

I also appreciate the fact, Mr. Speaker, that his motion instructs the conferees to insist on the provision in the House bill pertaining to the effective date of the minimum standards the bill imposes. I, like every American, want the improvements that will be brought about by the passage of this bill to be implemented as soon as possible. I want to restress that, as soon as possible. I am anxious for the day when all voters will have access to provisional ballots and better technology, when registration systems are modernized and made more accurate. No one should have a vote cancelling out another vote. Technology is a part of getting to that solution. A part. But there are other parts that we have to be able to insist upon to make sure that voting is fair across the Nation. When disabled citizens will be able to cast a secret ballot and those serving in our military will be assured that their votes will be counted, this will be an appropriate election process for the United States.

The House bill set up a formula grant process that would ensure that Federal funds get to the States quickly, allowing them to begin implementing these improvements without delay. That is a very good and important provision of the bill that my colleague, the gentleman from Maryland (Mr. HOYER), worked on.

Obviously, like the gentleman from Florida, I want to see these improvements in place as quickly as possible. Nevertheless, I must oppose the gentleman's motion for a simple reason. The effective dates that were in the bill that passed this House last December were drafted in the fall of 2001.

□ 1115

They provided that the requirements go into effect 2 years from the date of enactment and gave a waiver to States that could not comply, allowing them until the November 2004 election to come into compliance.

Mr. Speaker, it is now June of 2002. While I hope the Congress will be able to come to agreement rather soon, I think the best we could hope for is a bill being enacted in July. The waiver language which we included was intended to give States having difficulty coming into compliance a significant amount of time to do so. The reality of the time frame we are now working under has effectively rendered the waiver meaningless.

I certainly also agree with the gentleman from Florida that we need to get going and should impose an aggressive schedule for compliance. However, we must also be realistic in what we impose. We cannot fall into the trap of thinking that, just by commanding it, we can make it work and make it so.

The fact is, whatever conference agreement is reached, States will have a heavy burden in coming into compliance with the requirements imposed. We will be offering a significant amount of Federal money to assist them in their efforts, but the fact remains it will simply take some time for States and localities to incorporate the changes we will require to their election systems.

The Senate bill has a number of different effective dates for different provisions that, frankly, we do not have necessarily in our House bill. This is appropriate, as some requirements will be more difficult to meet than others. Establishment of a state-wide registration system will take more time, for example, than it will to provide voters with educational materials and sample ballots. The Congress will have to wrestle with how best to strike the balance between imposing effective dates that get States into compliance as soon as possible, without imposing unrealistic time frames that prove impossible to meet, create chaos, and wind up doing more harm than good.

In light of that, we should not be instructing the conferees to incorporate bill language that is outdated, and thereby unrealistic, given our current schedule.

Therefore, I do oppose the gentleman's motion; but I do want to reiterate that I agree with the sentiment and the spirit that it expresses and hope and will push and work with my colleagues on the Committee on Energy and Commerce to make sure the conference will be able to reach agreement quickly on effective dates that are realistic and achievable.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 2½ minutes to the gentlewoman from Cleveland, Ohio (Mrs. JONES), who hosted a forum on election reform in her city.

Mrs. JONES of Ohio. Mr. Speaker, my colleague from Florida (Mr. HASTINGS) did in fact come to Cleveland, Ohio, when we hosted our election reform committee. I would say to the gentleman from Maryland (Mr. HOYER) and my colleague, the gentleman from Ohio (Mr. NEY), I rise in support of the motion to instruct.

Now, my problem is that even though we have not reached an agreement as to how this bill should come into play, States should not be waiting for us to

dot the I's and cross the T's in this instance. They should be beginning the process of putting in place programs that will assure that each and every one of the voters in their States have access to information.

I am pleased to say that in Cuyahoga County, Ohio, where I live, our board of elections has begun to try out various new automated systems. They tried out one system at the Indians game. The owner of the system came in and put in the system, and the people at the game were able to vote on their favorite baseball player. On two or three of the elections we have had, they have been able to put in systems at two or three locations throughout Cuyahoga County to give voters an opportunity to try out these systems.

As much as we want to believe that everybody is comfortable now or believes that the Florida election was kind of something that would never happen again, the reality is there are many, many voters out here across this country who are expecting that this Congress will say it will never happen again, that everyone will have the right to vote, that people will not be faced with punchcard systems or butterfly ballots or have to stand in line and be turned away because someone says I have to show my driver's license or you are not registered, or it has not been explained that if there is a problem they have the right to vote and a decision made later on as to whether their vote will count.

We should never in this country be placed in the position that we send people to other countries and say we want to check out your voting system, when our own is not in order.

So I stand here adamantly in support of this motion to instruct the conferees. If we give people more time, they are going to take more time. Let us stop this. Let us make sure that the people in the United States are not disenfranchised. Let us give them the right to vote, right away, right now.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 8½ minutes to my good friend, the gentleman from Maryland (Mr. HOYER), the distinguished ranking member of the Committee on House Administration, a leader on election reform and other matters in this House.

Mr. HOYER. Mr. Speaker, I thank the gentleman from Florida for yielding, and I want to, at the outset, thank the gentleman from Ohio (Mr. NEY). The gentleman from Ohio (Mr. NEY) as the chairman of the Committee on House Administration has been absolutely critical, along with the staff of our Committee on House Administration on the majority side and the minority side, absolutely critical to getting election reform to where it is right now. It would not be nearly as far along.

We passed this bill last December. Frankly, we could have passed it a year ago July, but there was some controversy on our side of the aisle, some controversy on side of the aisle of the gentleman from Ohio (Mr. NEY); and we needed to work with our members. We came to the floor in December, and over 360 Members of this House voted for this legislation.

The instructions which the gentleman from Florida (Mr. HASTINGS) seeks do not in any way, as the chairman has indicated, undermine the thrust of our legislation, which was to get election reform in place as soon as possible. Unfortunately, the Senate took 4 months to pass its legislation after we passed our legislation.

We have now been in conference for over a month now, and we are not moving quickly enough. We need to get this conference completed, we need to get this bill to the floor, we need to pass it, and we need to have States start implementing it.

Mr. Speaker, the effort to correct the problems that surfaced in the 2000 election has been a Herculean and often difficult one. But, then, of course, most worthwhile efforts are such. Today we are closer than ever, in my opinion, to enacting the most comprehensive voting reform legislation since the Voting Rights Act of 1965.

The motion that I am supporting today is intended to ensure that, as Congress enters this final critical stage of election reform, we remember that reform delayed is reform denied. The motion before us will ensure that delay of essential reforms will not be an option.

The bill that we passed through the House did not have these extraordinarily long times, this safe harbor, this 2010 provision, this 2006 provision, this 2008 provision.

The chairman is absolutely right. We understood that time was a problem and we needed to give States a reasonable time in which to implement. Very frankly, I think the House bill as it reads continues to be a reasonable bill, and I would hope as it reads we could adopt it. That is a little short of what the gentleman wants; but it is, I think, a reasonable place for us to be.

This motion would instruct House conferees to insist on section 504(A) of the House-passed version of H.R. 3295, which requires States to be in compliance with commonsense minimum standards for the administration of elections no later than November 2004.

Americans do not want a repeat of the election of 2000. I do not mean the result; I mean the process. Every American believes, President Bush has said correctly, every American has the right to vote; but that is an empty right, a specious right, an ineffective right, if that vote is not counted and counted accurately.

The motion also instructs the House conferees to disagree to the safe harbor provision of section 104(B) of the Senate amendment to the House bill. I believe that section undermines election reform. I am opposed to it, and I will oppose it in conference. I would hope that the Senate conferees upon reflection would support us in that effort. That provision would delay enforcement of the minimum standards until as late as 2010, three Presidential elections away. In my view, that is unacceptable.

Can States meet the 2004 deadline? Yes, they can. The gentlewoman from Ohio (Mrs. JONES) said States need to be anticipating. In fact, my State, Florida, Ohio, whose Secretary of State has been extraordinarily helpful in getting us to this point, are all looking at what we expect and what this law will require. If they are sitting on their hands, twiddling their thumbs, they are not acting on behalf of the American people. They ought to be getting right now ready to implement this legislation, as they expect it to be passed.

Will there be compromises along the way? Of course. That is the nature of legislation. That is the nature of a conference. But if there is a Secretary of State, if there is an election official, if there is a registrar who is not moving towards the reforms that this bill will require, that passed with some 363 votes out of 435, and passed 99 to one in the United States Senate, then those election officials are derelict in their duty.

So I say to them this day, through all my colleagues and through, Mr. Speaker, you, I say to them, through the Speaker of this House, start working now, if you are not far along in the process already, so that when we pass this legislation, hopefully within the next 30 days, you will be ready; you will be ready to vindicate the most important right of every citizen in democracy, and that is the right to vote, the right to have that vote counted, so that voter will participate in making policy and vision for America.

We must provide that Congress delays no more. We in Congress must complete our work on election reform soon, soon, and give States sufficient lead time to meet their obligations. I urge my fellow conferees on election reform to immediately begin the important work of reconciling the House and Senate bills.

My chairman and I do not disagree on substance. This day we disagree on the process of the expectation. But I want to reiterate as I close, without the gentleman from Ohio (Mr. NEY), this legislation would not be where it is today. Without the gentleman from Ohio (Mr. NEY), we would not have gotten it the floor as we did. Without the gentleman from Ohio (Mr. NEY), the House bill would not have been as good as it was and is. And, frankly, it looks better than it looked before the Senate passed its bill, he says with some degree of pride and vindication.

Although much work remains, both the House and Senate bills are nearly identical in their basic goals, to give States the resources to improve their election systems and establish minimum standards, assuring ease of voting and accurate tabulation of results

and, yes, that there are not cheats. No one wants fraud. No one wants fraud in the election system; no one, on either side of the aisle.

So we must address that issue, but we must address that issue in the context of what the purpose of this bill is, to facilitate the exercising of the democratic franchise; to facilitate people being recognized as eligible voters; to facilitate the accurate counting of those votes; and to facilitate the will of the majority maintaining in this, the greatest democracy the world has ever known. If we do not, we will lose a historic opportunity to strengthen our democratic system at home, while, Mr. Speaker, in lockstep 435 Members of the House, 100 Members of the Senate and every American works to defend this democracy against foreign enemies and those who would undermine it from without by terror and violence.

□ 1130

But let us not here at home undermine democracy by failing to act and acting quickly to vindicate the vote for every American.

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

I just wanted to make a couple of comments here to just restress the importance of getting this monumental piece of legislation concluded. I cannot stress that enough. I appreciate the comments of my colleague, the gentleman from Maryland (Mr. HOYER) and also the gentleman from Florida (Mr. HASTINGS). It was a two-way street working with the gentleman from Maryland in being able to do something that, frankly, some people on either side on the aisle said maybe we ought not do this, but we knew it was the right thing to do. We had people that joined us in crafting a bipartisan piece of legislation that is well thought out.

I also want to restress, too, that I am sympathetic to the spirit of what is being done here today by the gentleman from Florida (Mr. HASTINGS). We need maybe some flexibility going into it, from my point of view. But I do want to stress that the spirit of what he is attempting to do is something that I fully understand. I appreciate both of the gentlemen.

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

Mr. HASTINGS of Florida. Mr. Speaker, I appreciate very much the gentleman's comments.

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

Mr. HASTINGS of Florida. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I mentioned the gentleman from Oklahoma (Mr. NEY), and he has done an extraordinary job and, I think, leads our committee the way every American would want him to lead the committee, and that is in an open and constructive way, and I thank him for that.

I also wanted to focus on the sponsor of this particular motion to instruct. The gentleman from Florida (Mr. HASTINGS) is an extraordinary Member of this House. He is probably as well grounded in the law as any Member of this House. He is also a colleague of mine in participating in the Organization of Security and Cooperation in Europe. He is a vice president of that international organization of 55 countries, respected internationally for his fairness and for his focus.

I want to thank him for his leadership, not only in the State of Florida, but I want to thank him for his leadership in this Congress. He was the one who raised most pointedly the issue of funding for 2002. It was his leadership that allowed some of us to work with him and, I might say, the gentleman from Illinois (Mr. HASTERT), the Speaker of the House, and the gentleman from Florida (Mr. YOUNG), to get the funding. So much of the year is gone, but the $450 million which is in the supplemental is now subject to authorization, and that is the key. We have to pass this legislation so that we can get that money to the States.

So I thank the gentleman from Florida (Mr. HASTINGS) for the leadership and the strong voice he has been on behalf of election reform in America.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 1½ minutes to the gentlewoman from Miami, Florida (Mrs. MEEK), my good friend and colleague, who has been a leader in this fight from November 2000, and even before then when we recognized that there would be significant problems.

Mrs. MEEK of Florida. Mr. Speaker, I thank the gentleman from Florida (Mr. HASTINGS), with whom I have worked very closely over the years and who has been a paragon of justice and fairness not only in Florida, but throughout the world. I want to thank the gentleman from Maryland (Mr. HOYER) and also the sponsor of the House's bill on the Republican side. I commend the gentleman for offering this piece of legislation.

While the Senate amendment to H.R. 3295 has many provisions that are stronger than the bill we passed last December in the Senate, this safe harbor provision which they have in the Senate bill is a significant exception that will delete and, thus, materially weaken election reform.

Now, I am from Florida and my colleagues can understand why I would not like to see any safe harbor provision that would delay the implementation of election reform. If you have ever been in another kind of ground zero for election reform, you should have been in Florida in the last election.

If the House provision is adopted by the conferees and the Congress passes the conference report and the President signs the bill, we get real election reform by November 2004. People have told us to let it pass. We cannot. We have to do it now. We cannot delay this any longer. We cannot go through many of the political shenanigans we go through when we want to delay something. This has to happen now. Too many people have suffered. We die for the right to vote and we demand it now.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of the time, which I shall not use, again to thank my colleagues, the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER), and I especially am indebted to the gentleman from Maryland not only for his gracious comments, but for his mentoring with reference to matters that he and I are working on overseas; and the gentleman from Ohio (Mr. NEY) for agreeing with me in spirit with reference to this matter. We appreciate that spirit. Perhaps had the gentleman from Ohio been with me in Florida, you would understand how spirited I am with reference to all of these matters.

Speaking of the Organization for Security and Cooperation in Europe that the gentleman from Maryland is leader par excellence in, and I happen to, because of him, be an elected officer in that organization, immediately following the election just passed, I went to a meeting in Europe, and many of our colleagues, the gentleman from Maryland was unable to attend that particular meeting, but many of our colleagues in Europe were waiting for me to walk into the room so that they could ask me about those free, fair and transparent elections that took place in the State of Florida. In many instances, including good friends from England, they found it amusing that we had these problems and I know are going to find it equally amusing that we have not settled this controversy with reference to the legislation federally that we should have passed.

This place continues to amaze me on a day-to-day basis. I come in here and we have these knee-jerks on what is going on now. Now, we have had some serious interventions in this country: 9–11, to be sure; the economy overall is something that all of us are concerned about. Today's flavor is prescription drugs. Next week it will be fast track. And during all of that time, election reform has been sitting around here. The gentleman from Ohio (Mr. NEY), the gentleman from Maryland (Mr. HOYER), other people; the gentleman from Missouri (Mr. GEPHARDT), the gentlewoman from California (Ms. WATERS), and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the chair of the Black Caucus, and I, all of us waiting and yelling that we need to do something, and yet we find ourselves in the position of asking no more in this particular motion to instruct the conferees than what we already passed in the House of Representatives and insisting that that language, which was offered by the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER), and those of us that cosponsored it, be included in the ultimate bill.

Quite honestly, the House measure, in my judgment, is the more enlightened of the two, but our failure to undertake it is a lack of enlightenment on all of our behalfs.

All of us ought to find this noncontroversial, and I would ask our colleagues who are listening back in their offices to support this motion to instruct conferees.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, let me thank my colleague from Florida, Congressman ALCEE HASTINGS for offering this motion to instruct conferees.

The two instructions that Congressman HASTINGS is offering are crucial to getting our election system in order.

First, it is important that conferees make any effective date for election reform be in time for the next Presidential election in 2004.

Actually, it should have been in time for our congressional elections, but we will go forward unfortunately with the same system that tore America apart in the November 2000 election.

And for the second instruction, it is important that the government have the ability as soon as is it feasible, to legally check to see if States are in fact making the necessary changes that the final election reform bill stimulates.

Election Reform is the number one legislative priority for the Congressional Black Caucus, and I sincerely hope that it is a top priority for every Member of the 107th Congress.

As a national legislative body, the Congress has the power, authority and absolute obligation to assure that the apparent disenfranchisement, which occurred in several places throughout the United States in our last Presidential election, does not ever happen again.

Allegations of voter intimidation; inaccurate voter registration lists; subjective, vague or non-existent ballot counting standards; and flawed ballot designs, all led to confusion before, during and after the election.

What happened is no way to elect the President of the United States of America—the most powerful position in the world.

This is not a black, white, or brown issue. It is an American issue. It is a red, white and blue issue. It should be of great concern to each of us if any one of us is improperly denied access to the ballot box or if every ballot cast is not counted. The survival of our democracy depends on the accuracy and integrity of our election system.

Mr. Speaker, I urge my colleagues to support this sensible motion to instruct.

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

The SPEAKER pro tempore (Mr. LATOURETTE). Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Florida (Mr. HASTINGS).

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

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

NATIONAL SEA GRANT COLLEGE PROGRAM ACT AMENDMENTS OF 2002

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 446 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 446

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3389) to reauthorize the National Sea Grant College Program Act, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Science. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments recommended by the Committee on Resources and the Committee on Science now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in the report of the Committee on Rules accompaying this resolution. Each section of that amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose of clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. SUNUNU). The gentleman from Florida (Mr. DIAZ-BALART) is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. DIAZ-BALART asked and was given permission to revise and extend his remarks.)

Mr. DIAZ-BALART. Mr. Speaker, House Resolution 446 is an open rule providing for the consideration of H.R. 3389, the National Sea Grant College Program Act Amendments of 2002. The rule provides 1 hour of general debate with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources, and 20 minutes equally divided and controlled by the chairman and ranking member of the Committee on Science. The rule provides one motion to recommit with or without instructions. This obviously is a very fair rule, Mr. Speaker, that will allow Members all possible opportunity to debate this important issue.

The underlying legislation of the National Sea Grant College Program Act is amended to include an emphasis on ocean and coastal resources conservation and management, as well as collaboration between academia and the National Oceanic and Atmospheric Administration, known as NOAA.

Sea grant colleges support applied research at the local level and support major crosscutting research initiatives. This is a bipartisan bill that makes changes to the act that will enhance cooperation between Sea Grant and other executive programs with similar missions, promote funding disbursements based on competitive merit review, and increase authorization levels.

Florida has enjoyed great success with this program, through research and education in the areas of aquaculture, fisheries, coastal process, and hazards, marine biotechnology and estuaries.

The underlying legislation provides not only important research, but also resources to communities and academic institutions. I am a proud cosponsor of this bill, and I urge my colleagues, Mr. Speaker, to support not only the underlying legislation, but this open rule and very fair rule as well.

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

□ 1145

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman from Miami, Florida (Mr. DIAZ-BALART), for yielding me the time.

Mr. Speaker, today's rule is a fair one. It is an open rule, and it is one that I will be supporting. I only wish that my colleagues on the other side of the aisle would make it a habit of bringing these types of fair and open rules to the floor.

Mr. Speaker, the National Sea Grant College Program was established in 1966 to improve the science, conservation, and management of ocean, coastal, and Great Lakes resources through the use of academic grants. There are currently 30 designated sea grant programs which utilize a network of 300 universities and scientific institutions.

Those of us in the Florida delegation know all too well the benefits that

have come as a result of the national sea grant program. Primarily housed at the University of Florida, Florida's Sea Grant College Program currently enjoys the support of 15 Florida universities, both public and private.

Included in this 15 is my alma mater, and that of the gentlewomen from Florida (Ms. BROWN) and (Mrs. MEEK), Florida A&M University. In addition, Florida Atlantic University, and I am proud to say that I will be receiving an honorary doctorate from that institution soon, the University of Miami, Florida State University, and Nova Southeastern University, that is in my district and that of the gentleman from Florida (Mr. DEUTSCH), all are active participants in the Sea Grant College Program, as well.

A footnote there: I overlooked the fact that that university, as well, is in the district of the gentleman from Florida (Mr. SHAW).

Under the National directorship of Dr. Fritz Schuler, the National Sea Grant Program has continued to grow every year since its conception. Florida universities are privileged enough to have people like Jim Cato, William Seaman, and Ed Harvey working for them. I applaud the hard work of these individuals and their colleagues and commend them for a job well done.

H.R. 3389 reauthorizes the National Sea Grant College Program from fiscal year 2003 through fiscal year 2008. It sends a clear message that the National Sea Grant College Program is one that must be sustained. Provisions in the bill increase current funding in the program every year.

Further, the bill reauthorizes the Coastal Ocean Program, providing $35 million per year through fiscal year 2008. This is a program that the people of our respective districts, and certainly mine, benefit directly from. I applaud the good work done by the Committee on Resources and the Committee on Science for continuing this much needed program.

I commend the work done by the two committee chairpersons, the gentleman from Utah (Mr. HANSEN) and the gentleman from New York (Mr. BOEHLERT), as well as the ranking Democrats, my good friend, the gentleman from West Virginia (Mr. RAHALL), and the gentleman from Texas (Mr. HALL).

Finally, the bill includes a provision requiring equal access for minority and economically disadvantaged students. Such provisions in many of our bills make it possible for minority and economically disadvantaged students to achieve in areas and fields where they might not otherwise succeed.

I applaud my colleagues for including this provision in H.R. 3389, and I urge them to never forget the immediate and long-term benefits of these practices.

In closing, Mr. Speaker, this is a fair rule. The substitute is a fair substitute, as is the amendment being offered by my colleague, the gentlewoman from Texas (Ms. JACKSON-LEE). I urge my colleagues to support the rule and the underlying bill.

Mr. Speaker, I yield 5 minutes to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY of Rhode Island. Mr. Speaker, I thank the gentleman from Florida (Mr. HASTINGS) for yielding time to me; and I should say Dr. HASTINGS, given the honorary doctorate the gentleman will be receiving shortly.

Mr. Speaker, I rise to urge my colleagues to support H.R. 3389, the National Sea Grant College Program Act. This is a comprehensive piece of legislation which will contribute greatly to the valuable work that the sea grant programs across the Nation continue to do every day.

I want to thank the gentleman from Maryland (Mr. GILCHREST) for his leadership on this in introducing this legislation, and other bipartisan cosponsors, including the gentleman from Alaska (Mr. YOUNG), the gentleman from New Jersey (Mr. SAXTON), the gentleman from Guam (Mr. UNDERWOOD), and the gentleman from American Samoa (Mr. FALEOMAVAEGA). I thank him, as well.

Mr. Speaker, I represent the first district of Rhode Island. Rhode Island is known as the Ocean State. For hundreds of years, my State has made its living on the sea, from fishing in the waters to utilizing them for transportation. We have now added ocean exploration and science to our tasks.

I am proud to say that Rhode Island has always been at the forefront of ocean science. I have worked extensively with the folks at the University of Rhode Island Sea Grant Program. They realize that this legislation, which will reauthorize the sea grant program for another 5 years, will allow them to leverage Federal funds in order to continue their study of our oceans. This allows us to make valuable strides forward in not just ocean exploration, but in biomedical sciences.

How many people realize how much we derive from the ocean in terms of biomedical sciences and advances in pharmaceutical drugs, all found because of the sciences we do on our oceans?

The Coastal Environmental Restoration and Preservation programs are also part of this ocean science sea grant program. Food production and responsible economic development through the utilization of our waters is key, and the sea grant program works with the Aid to International Development to help those countries around the world develop their coastal ways to feed their people. We have great hunger in the world, and the ocean can be a great resource for foodstuffs and fish protein.

Additionally, this legislation promotes strong relationships between the National Oceanographic and Atmospheric Administration and the sea grant. I look forward to seeing passage of this rule and also seeing passage of this legislation. Ultimately, I will work on the Committee on Appropriations to see that its laudable goals are adequately funded.

Mr. Speaker, I thank the gentleman from Florida for bringing this bill forward; I look forward to passage of this resolution.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 2 minutes to my friend, the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I thank my friend, the gentleman from Florida (Mr. HASTINGS), or Dr. HASTINGS, for yielding me the time.

I also want to commend my good friend, the gentleman from Maryland (Mr. GILCHREST), for reintroducing the legislation and for the leadership that he has provided, as well as the leadership that the Chair and the ranking members on the appropriate committees have given this legislation.

Mr. Speaker, I do rise as a strong supporter of the rule, as well as for H.R. 3389, the bill to reauthorize the National Sea Grant College Program Act. While my district is far from either coast, the State of Wisconsin is host to some of our Nation's most important fresh water resources. With the Great Lakes and the Mississippi River as our borders, and more lakes, actually, than the State of Minnesota, water-quality issues are central to the lives of Wisconsin residents and the residents in the upper Midwest region.

Mr. Speaker, the sea grant program provides Wisconsin with valuable tools for research and education associated with our unique natural resources. Through the University of Wisconsin system, support from sea grant enhances scientific research, education, and outreach throughout the entire State. In fact, the University of Wisconsin Sea Grant Institute is nationally recognized as a leader in marine science education.

I also have a personal interest in the sea grant program. Since I was first elected to Congress, my office has benefited as a participant in the Sea Grant Policy Fellowship Program. Serving in 1-year fellowships, sea grant Fellows have provided invaluable knowledge and experience to my office.

As a co-chair of the Upper Mississippi River Basin Congressional Task Force, these Fellows have had their hands full working not only with water resource issues that affect my congressional district, which has more miles along the Mississippi River than any other congressional district in the Nation, but also have been helping to coordinate efforts throughout the entire five-state basin area in the upper Midwest.

The United States has thrived through scientific achievements, and we must continue to encourage our students to pursue math and science education. The sea grant program is a great example of our efforts in this area, and noted accomplishments by the participants in the program represent how valuable this investment is.

In conclusion, Mr. Speaker, I would like to take the opportunity to again thank the former sea grant Fellows that have served in my office, Jeff Stein, Ed Buckner, Allen Hance, and Laura Cimo, for their outstanding work. I would also like to thank the Members of this body for their past support of the sea grant program, and I encourage my colleagues to support the legislation today.

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

Mr. DIAZ-BALART. Mr. Speaker, reiterating my support for the rule and the underlying legislation, and asking all of our colleagues to support both, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. DIAZ-BALART). Pursuant to House Resolution 446 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3389.

□ 1157

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3389) to reauthorize the National Sea Grant College Program Act, and for other purposes, with Mr. SUNUNU in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Maryland (Mr. GILCHREST) and the gentleman from Guam (Mr. UNDERWOOD) each will control 20 minutes, and the gentleman from Michigan (Mr. EHLERS) and the gentleman from Michigan (Mr. BARCIA) each will control 10 minutes.

The Chair recognizes the gentleman from Maryland (Mr. GILCHREST).

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

Mr. Chairman, today the House is considering H.R. 3389, the National Sea Grant College Program Act Amendments of 2002 which we introduced last fall. The bill before us is a bipartisan substitute worked out between the Committee on Resources and the Committee on Science. It reauthorizes the sea grant program for 5 years within the National Oceanic and Atmospheric Administration and makes some minor improvements to the program. It also reauthorizes the Coastal Ocean Program, but does not consolidate the two programs. I urge my colleagues to support the bill.

Mr. Chairman, in 1964, the concept was created to understand the relationship between the oceans, the environment, and the economy, and the best way to deal with those issues that would benefit all of us. In 1966, the idea was put into a statute called the National Sea Grant College Program.

What sea grants do essentially are five very important things. One of the aspects is research so we understand the marine ecosystems from around the world and human impacts to that ecosystem and the benefits that humans can derive from the marine ecosystem if we understand how nature works.

Number two is an education component which deals with colleges and universities from around the country. This impacts about 300 institutions and disseminates and educates a lot of young people to have a sense of understanding toward the marine ecosystems and their impact on people.

□ 1200

The third component are advisory agents, and these are mostly those young people that are educated through the sea grant program in the Nation's universities to go directly to communities to help those coastal communities understand how their economy can improve while the environment improves. So it has been an extremely successful operation over the last almost 40 years now.

The fourth component affects the U.S. Congress in a very, very positive way, and many Members of Congress, especially on this particular committee, as was spoken by the gentleman from Wisconsin, has the advantage of sea grant fellows, and these sea grant fellows offer the kind of data, information, science and understanding into these very complex issues so that we as Members of Congress can weave our way through the very complex dynamic maze of the mechanics of nature.

The third thing that this particular reauthorization does is to once again emphasize the very important aspect of this Congress into developing ways that the economy of this country and the environmental aspects of legislation can and must be compatible, and this legislation goes a long way into doing that.

The fourth thing this legislation does is to understand the very nature and difficulty with environmental degradation and loss of dollars to the economy of invasive species, what invasive species need to be addressed first, what invasive species are the most problems with this country and how invasive species arrive on our shores. Also, the research deals with marine biotechnology and agriculture.

The fifth thing, we ensure that there are dollars for 30 institutions and over 300 programs around the country.

We have worked in a very bipartisan fashion, and I want to thank my colleagues on the Democratic side for their cooperation. I want to thank the staff on both sides of the aisle for their cooperation. I also want to thank the gentleman from Michigan (Mr. EHLERS) on the Committee on Science for their collaboration into this effort.

Our amendment strengthens the act by calling for an increase in collaboration between the ocean research funding entities and the National Research College Program to limit duplication of efforts and enhance related research. This legislation increases authorization levels that have remained painfully stagnant over the past decade almost.

The amendment also ensures that the quality research and management within the sea grant college system is rewarded through a competitive, merit-based disbursement of funds, and finally, because of the great importance of the coastal and ocean resources of the territories and freely associated States within the Pacific Ocean, the act calls for a reporting of their efforts in developing the infrastructure and expertise necessary to become sea grant institutions.

I want to thank the gentleman from Guam (Mr. UNDERWOOD) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) for their cooperation through this process, and also once again the gentleman from Michigan (Mr. EHLERS) for his cooperation, and to the patience of the staff on both sides of the aisle with Members of Congress.

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

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

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

Mr. UNDERWOOD. Mr. Chairman, I too am pleased to speak in support of H.R. 3389, a bill to reauthorize the national sea grant program. I would also like to take this time to express my strong support for the National Sea Grant College Program, my support for the manager's amendment in the nature of a substitute to H.R. 3389 which requires an annual report of the progress of institutions and regional associations seeking to develop sea grant status, and my opposition to the administration's plan to move the National Sea Grant College Program from NOAA to the National Science Foundation.

Before discussing my specific concerns, I want to commend the gentleman from Maryland (Mr. GILCHREST), the chairman of the Subcommittee on Fisheries, Conservation, Wildlife and Oceans, and the gentleman from New York (Mr. BOEHLERT), the chairman, and the gentleman from Texas (Mr. HALL), the ranking member, of the Committee on Science, the gentleman from Michigan (Mr. EHLERS) and their staffs for their sincere efforts to work cooperatively to develop a consensus bill which represents a fair and satisfying compromise to improve the act.

On a related aside, I find the consideration of the sea grant legislation

today to be somewhat ironic. I say this because the majority has scheduled this bill for consideration today, yet we intend to mark up next week in the Committee on Resources that legislation which may weaken provisions of the law under the Magnuson-Stevens Fisheries Conservation and Management Act.

As the ranking member on the Subcommittee on Fisheries, Conservation, Wildlife and Oceans, I am involved with the oversight of programs vital to the interests and jurisdiction of the Committee on Resources, including programs at NOAA. I continue to be impressed by the National Sea Grant College Program, which has been pointed out repeatedly on the floor today, has served since 1966 to promote applied marine research, education, outreach and extension services.

The national sea grant program sponsors peer-reviewed academic research, transfers technology and results from this research to industry and management agencies, and acts to educate the public about marine and coastal issues. It achieves environmental and economically important results through fostering partnerships among scientists, managers, industries and local, State and Federal Governments.

These partnerships are further strengthened through sea grant's funding requirement that one-third of a program's grants must come from non-Federal sources. Sea grant has proven itself a very effective tool to leverage limited Federal dollars and, as a result, has built an outstanding network program that can use its remarkable research education and extension services to serve State and territorial needs.

Considering the widespread success and support for the National Sea Grant College Program, I was amazed to discover that the administration had actually chosen to cut funding and transfer sea grant from NOAA to the National Science Foundation.

Many researchers believe that the sea grant's priorities of applied research, outreach and education are incompatible with the fundamental mission of the National Science Foundation to support basic scientific research, and while I approve and certainly respect NSF's mission and scientists, and while I continue to support full funding for NSF, I, like many Members, believe that the national interest is best served by keeping sea grant in NOAA. This legislation, and gratefully I might add, to both the majority and minority Members, unequivocally reaffirms that commitment.

It is important because I believe in the importance of the sea grant program that I continue to support as well as the development of a sea grant regional program in the Western Pacific. I am proud that colleges and universities in that part of the world, in that region, College of the Marshall Islands, the College of the Micronesia and the FSM, Northern Marianas College, University of Guam and Palau Community College, have chosen to organize themselves as a consortium working towards attaining program status that would bring sea grant research, education and extension services to an ocean area equivalent to the total land area of the contiguous United States. With fully 100 percent of our residents living within 10 miles of the ocean, it is clear that the development of a regional sea grant program would flourish and serve both regional and national interests.

I continue to strongly advocate that the sea grant program designation process, especially for institutions in areas that are overlooked and lacking in the necessary infrastructure, such as the U.S. territories, requires Federal financial and technical assistance. More importantly, the manager's substitute amendment made in order under the rule includes an important benchmark provision to help guide the development of future sea grant programs.

The bill before us would also allow any developing programs access to a portion of moneys appropriated beyond the appropriated level funding in fiscal year 2002.

I do support the manager's amendment to H.R. 3389. However, I believe that the National Sea Grant College Program could play an even more important role in developing and protecting marine resources in the U.S. territories and freely associated States.

In closing, it is important that the House act expeditiously to pass H.R. 3389 and reauthorize the National Sea Grant College Program. To do so at this time would be a strong commitment, reaffirmation of Congress' unwavering commitment to maintain the National Sea Grant College Program as a vital element within NOAA. It would also represent a rousing endorsement of sea grant's marine research, education and extension services that benefit millions of Americans annually.

The bill before the House is noncontroversial, supported by the National Sea Grant Association. Moreover, it would make several improvements to the National Sea Grant College Program at a critical time in its history. This is good legislation. I strongly urge all Members of the House to vote yes on final passage of H.R. 3389.

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

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

I rise today in strong support of H.R. 3389, which reauthorizes the National Sea Grant College Program. The bill before us today is a result of a bipartisan compromise between the House Committee on Resources and Committee on Science. The interaction of the two committees produced a better bill than either of us could have done alone, and I am pleased with the outcome.

The national sea grant program is unique in connecting research results with coastal communities through the combination of research, extension and education. Currently, there are 30 sea grant college programs which fund and incorporate research from hundreds of universities throughout the country.

I am especially proud of my home State program, the Michigan sea grant program. It plays a vital role in enhancing our Nation's knowledge and understanding of Great Lakes issues. Projects that Michigan sea grant is working on include ballast water cleanup and management strategies, remote sensing of pollution in Lake Superior, effects of community development on wetlands and fisheries, and changes in the Great Lakes food web and the effects on commercial and sport fishing.

Sea grant's importance is not solely in its funding of research but also in the education and outreach activities that ensure the research is conveyed to State and local decision-makers, commercial and recreational interests and future marine scientists.

While many have criticized the administration's fiscal year 2003 budget proposal to transfer the National Sea Grant College Program from the National Oceanic and Atmospheric Administration to the National Science Foundation, I saw it as an opportunity to more fully examine and improve the program, and H.R. 3389 does just that.

H.R. 3389 does not move sea grant to NSF. Rather, it reauthorizes sea grant within NOAA. The legislation does, however, mandate that sea grant better coordinate its activities with other programs within NOAA and with NSF. To this end, the bill requires NOAA to provide a strategic plan that establishes the priorities for the National Sea Grant College Program and must jointly submit, with NSF, a report about how the oceans and coastal research activities of both agencies will be coordinated.

H.R. 3389 provides much-needed increases in overall funding levels for sea grant. The authorization gradually increases from a total of $78 million for fiscal year 2003 to $103 million for fiscal year 2008. Included in that amount is $18 million a year specifically for research into aquatic nuisance species, harmful algal blooms, oysters and fisheries extension activities.

One issue that was raised during the Committee on Science's hearing on sea grant is the seemingly unfair nature of allocating Federal funding to sea grant programs. Currently, about 80 percent of the Federal funding goes directly to the State programs, based mostly on historical averages. Fifteen percent is for national competitive projects, and no more than 5 percent can be used for national administration of the program.

The Office of Management and Budget was highly critical of this process, and that seems to be one of the main reasons for proposing to move sea grant to NSF. Currently, only about $3

million of the total that is directly distributed to the State programs is based on the merit review process. This is the process by which each State program is reviewed by an outside panel and given a rating on how well its program is conducting its research, education and extension activities.

I understand that each State program needs a consistent level of funding to ensure it can adequately maintain its extension and education activities. However, I believe the system needs to be more transparent and based more on competition. Therefore, H.R. 3389 will require that any moneys appropriated above the fiscal year 2002 level shall be distributed to the State sea grant programs on a merit review, competitive basis, or distributed to national strategic initiatives.

We also allow this funding to be used for sea grant programs designated after the enactment of this act and for those universities trying to become new sea grant colleges or institutes.

Finally, I wanted to thank the gentleman from Maryland (Mr. GILCHREST) for introducing this bill and for his efforts on behalf of the sea grant program. All of us benefit greatly from his leadership on these issues. I also want to thank his staff who helped to quickly and amicably bring resolution to the differences between our two versions of the bill, and I also thank my ranking member, the gentleman from Michigan (Mr. BARCIA), for his great assistance.

Mr. Chairman, I urge my colleagues to vote in favor of the manager's amendment and for H.R. 3389. Our Nation's coasts and Great Lakes are depending on it.

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

□ 1215

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. BARCIA) to control the 10 minutes allocated to the minority on the Committee on Science.

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

Mr. Chairman, I rise in support of H.R. 3389, the National Sea Grant College Program Amendments of 2002. This bill reauthorizes a program of great importance to our Nation and to my home State of Michigan, and I too want to extend gratitude to my distinguished colleague, the gentleman from Michigan (Mr. EHLERS), for his important work on this vital issue, not only to the Great Lakes region but to the entire Nation and beyond.

Since its establishment in 1966, the National Sea Grant College Program has expanded our knowledge about Great Lakes and coastal ecosystems, trained thousands of professionals in areas of resource management, marine technology, aquaculture, and fisheries, and has facilitated the transfer of research results to resource users throughout the country. This partnership between the Federal Government and participating States has truly been a success.

The Great Lakes and coastal areas play a vital role in our daily lives and in our economy. Information-based management of these important resources is essential if we are to continue to enjoy the recreational, environmental, and economic benefits that they provide.

The Sea Grant Program has supported research, education, and extension activities for over 30 years. Sportsmen, State and local officials, commercial fishermen, recreational users, and business people alike have come to rely upon the information and outreach services provided by the Sea Grant Program. In Michigan, sea grant researchers are working to tackle important problems that have emerged in the Great Lakes regions with invasive species, such as zebra muscles and the round goby. Researchers are also working to develop improved fisheries models for use by Great Lakes fisheries managers. These are only two examples of the important research being done in the Great Lakes region through the cooperative efforts of the University of Michigan and Michigan State University and the Sea Grant Program.

One of the most important aspects of the Sea Grant Program is that it is structured to ensure the transfer of research results into practical use. Extension offices, like the one in my district, in Tawas City, and throughout the State of Michigan, assist local communities, businesses, and citizens to tackle difficult issues such as coastal development, aquatic invasive species, and the development of aquaculture.

This bill provides modest increases in the authorization level for this important program through the year 2008. Members of the Committee on Resources and the Committee on Science cooperated in a bipartisan fashion to resolve the discrepancies in the two versions of the bill to produce a result that offers improvement to this important program. I urge my colleagues to endorse the fine work being done through the Sea Grant College Program throughout the country by supporting the passage of H.R. 3389.

Mr. Chairman, I ask unanimous consent to yield the balance of my time to the gentleman from Guam (Mr. UNDERWOOD) and that he be allowed to control that time.

The CHAIRMAN. Without objection, the gentleman from Guam (Mr. UNDERWOOD) will control the balance of the time designated to the gentleman from Michigan (Mr. BARCIA).

There was no objection.

Mr. GILCHREST. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. SAXTON).

Mr. SAXTON. Mr. Chairman, I thank the chairman of the subcommittee for yielding me this time.

Mr. Chairman, I rise today in support of H.R. 3389, the National Sea Grant College Program Act Amendments of 2002; and, Mr. Chairman, I would just like to say at this time that the hard work of the chairman, the gentleman from Maryland, should be noted here. To bring this bill as expeditiously as he did to the floor, I am sure, took a great deal of effort. My hat is also off to the ranking member, who works in a great bipartisan partnership with my friend, the gentleman from Maryland (Mr. GILCHREST).

Mr. Chairman, this bill reauthorizes the National Sea Grant College Program for 5 years, encouraging more cooperation between the National Oceanic and Atmospheric Administration, NOAA, and the sea grant researchers and outreach personnel. It also incorporates the Coastal Ocean Research Program into the National Sea Grant Program and provides funding for research on zebra muscles, harmful algal bloom, and oyster diseases and their possible human health effects.

The National Sea Grant Program was created in 1966 to improve the conservation and management of marine resources. Currently, there are 30 sea grant programs that represent a network of researchers, educators, and marine advisory agents at over 300 academic institutions. The program provides effective assistance to these schools for research, education, and advisory services.

Under this act, marine advisory staff educates the general public about marine conservation efforts as well as provides technical research findings to user groups. The program has been highly successful during the more than 40 years since its inception. It has enabled the education community to conduct important research on a variety of important marine conservation issues and then share their findings with the public in order to educate our people on the importance of ensuring we can work together to protect these important and often fragile ecosystems in our Nation's oceans and waterways.

Mr. Chairman, I commend all those who have participated in this program and committed themselves to the preservation of these ecosystems and habitats. I applaud Chairman GILCHREST in reauthorizing this important piece of conservation legislation and look forward to its passage out of this House.

Mr. UNDERWOOD. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. Mr. Chairman, I rise today in support of H.R. 3389, the National Sea Grant College Amendments Act of 2002, and I certainly want to thank the chairman of the Subcommittee on Fisheries Conservation, Wildlife and Oceans, the gentleman from Maryland (Mr. GILCHREST), and the ranking minority member, the gentleman from Guam (Mr. UNDERWOOD), for their support and initiative in bringing this legislation for consideration at this time. I also want to thank the chairman of our

Committee on Resources, the gentleman from Utah (Mr. HANSEN), and our ranking member, the gentleman from West Virginia (Mr. RAHALL), for their support and endorsement of this legislation.

Mr. Chairman, I introduced H.R. 1071, a bill which would increase authorization for the National Sea Grant Program, last year. Our chairman, the gentleman from Maryland (Mr. GILCHREST), was kind enough to hold a hearing on the matter, and subsequently introduced H.R. 3389 as an alternative to my legislation. I am pleased to be an original cosponsor of H.R. 3389 and am also pleased to support the amendment in the nature of a substitute to H.R. 3389.

This amendment reflects a compromise between the Committee on Resources and the Committee on Science. This amendment also includes provisions from the Senate companion bill, Senate bill 2428. The amendment maintains funding increases for core programs and research regarding zebra muscles, oyster diseases, et cetera, and $90 million to $100 million annually from fiscal year 2004 through 2008.

I am particularly pleased that this amendment also includes a provision which directs the Secretary of Commerce to report annually to the Committee on Resources and the Committee on Science of the House of Representatives and to the Committee on Commerce, Science, Transportation of the Senate on efforts made by colleges, universities, institutions, associations, and alliances in the United States territories and freely associated States to develop the expertise necessary to be designated as sea grant institutions or colleges.

This provision also directs the Secretary of Commerce to report the administrative, technical, and financial assistance provided by the Secretary to those entities.

Mr. Chairman, I want to particularly thank the ranking member of our Subcommittee on Fisheries Conservation, Wildlife and Oceans, the gentleman from Guam (Mr. UNDERWOOD), for his leadership and his outstanding service not only to his people but certainly to this institution. Although he intends to run for another office, I will say personally that I will sorely miss him, and I really wish him all the best in his future endeavors.

I have worked for some time with the gentleman from Guam in bringing attention to the unique and singular needs of the U.S. territories and the freely associated states. For most Pacific Islanders, the ocean is our farm, Mr. Chairman, and we are in dire need of administrative, technical, and financial assistance to develop sea grant affiliations within the region.

I would also like to note that the University of Hawaii's Sea Grant Program has been instrumental over the years in assisting Pacific Island communities in developing sea grant extension activities. And I would like to personally thank Dr. Gordon Grau, the director of the Hawaii Sea Grant Program, for his commitment to our remote communities. I also want to thank my colleagues, the gentlewoman from the State of Hawaii (Mrs. MINK) and the gentleman from Hawaii (Mr. ABERCROMBIE), for their support of this program and legislation.

Mr. Chairman, despite the bipartisan support, current funding for the National Sea Grant Program is only about 7 percent of the equivalent Federal funding of the Land Grant College Program. Land Grant receives approximately $900 million in Federal funding per year. Sea Grant receives approximately $62 million. And yet approximately 54 percent of our Nation's population lives along the coastlines. I believe this is a fact that bears repeating. Nearly 54 percent of our Nation's population lives along the coasts, but we devote only pennies to marine research.

In 1994, the National Research Council review pointed out that Sea Grant has been virtually the only source of funding in the United States for marine policy research. Yet, on average, there are fewer than seven extension agents per coastal State. In many cases, there is only one extension agent serving a major urban area. For example, in Los Angeles, there is only one extension agent serving 14 million people. In New York City, there is only one serving 12 million people.

Sea Grant funds, on an average, are less than $2 million per State program. Many geographic regions are not represented, including the western Pacific, which alone has a huge economic exclusive zone. Some States, like Mississippi and Alabama, share funding with others eligible States like Pennsylvania and Vermont, which have no institutional sea grant programs.

Although this authorization continues to fall short of Land Grant funding, Mr. Chairman, I do believe it is a movement in the right direction, and I urge my colleagues to support this legislation.

I thank both the chairman of the Committee on Science and our ranking member of the Committee on Science as well as our Committee on Resources.

Mr. EHLERS. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from New York (Mr. BOEHLERT), the outstanding chairman of the Committee on Science.

Mr. BOEHLERT. Mr. Chairman, I thank the gentleman for yielding me this time, and I want to thank our colleagues on the Committee on Resources, and especially my good friend and neighbor, the gentleman from Maryland (Mr. GILCHREST), for working with us to reconcile the different versions of the bill that emerged from our two committees.

This is an important bill that reauthorizes a program that is vital to the Nation and to my home State of New York. In New York, the Sea Grant Program conducts important research that has helped preserve commercial and recreational fishing from the Long Island Sound to Lake Erie. The Sea Grant Program, through its research and extension activities, funds good science; and most importantly, it ensures that that good science is put to use. It is a model program.

Like any program, the Sea Grant Program can be improved; and this bill takes critically important steps to reform it. These steps will, among other things, address the concerns that lead the administration to suggest moving the program to the National Science Foundation.

The most significant feature of this bill is that it will ensure that more Sea Grant Program funds are distributed through the merit-reviewed competitions. Under the bill, any new money the program receives can be used solely for national strategic investments and/or competitive awards to the State Sea Grant programs.

We expect the competitions among the State programs to mirror National Science Foundation merit-reviewed competitions. Only those programs that are the best run and the most successful, and that can make the clearest case for why they need the additional money, should share in any funds that Sea Grant receives above the fiscal 2002 level. The amount of funding a meritorious State receives should be based on its demonstrated needs and not on any previous assumptions about funding formulas.

This competition will ensure that the taxpayers are getting their money's worth out of Sea Grant, and will create an incentive for every one of the State programs to ensure that their research and extension activities are exemplary.

Mr. Chairman, Sea Grant is an excellent program that we are making even better. I urge my colleagues to support the bill.

□ 1230

Mr. UNDERWOOD. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Chairman, I thank both the Committee on Resources and the Committee on Science for this legislation.

I rise in support of H.R. 3389, the National Sea Grant College Program Act Amendments of 2002. This important legislation reauthorizes the Sea Grant Program in Texas and its counterparts around the country to continue the important work done.

When Congress passed the Sea Grant College Program in 1966, it intended to apply the successful attributes of the Land Grant College Program to coastal and marine issues. Today, the National Sea Grant Program represents the bridge between government, academia, industry, scientists and private citizens to help Americans understand and maintain the oceans and Great Lakes for long-term economic growth.

Sea Grant also serves as a bond uniting 350 participating institutions in 35 States, U.S. territories and the District of Columbia and millions of people. In short, Sea Grant is an agent for scientific discovery, technology transfer, economic growth and public education as they involve coastal, ocean and Great Lakes resources.

Every day, Sea Grant scientists make progress on important marine issues of our time. A network of outreach professionals takes this information out of the laboratory and into the field, working to enhance a coastal business, a fishery, or a resident's safety and quality of life.

The dedicated corps of communication specialists builds public understanding, and bring discoveries into our Nation's schools to pioneer better ways of teaching.

Through these research, education and outreach activities, Sea Grant has helped position the United States as a world leader in marine research and the sustainable growth of coastal resources.

Mr. Chairman, Texas A&M University was among the first four institutions to be designated a Sea Grant College in 1971, and its researchers had been involved since passage of the National Sea Grant College and Program Act of 1968. As a Sea Grant College, Texas A&M provides research support for university-level faculty throughout the state through a competitive grants process. A great amount of this research is conducted at the Texas A&M—Galveston, Texas campus.

In Texas, the Sea Grant program has conducted research in hyperbaric physiology, endangered species ecology, marine aquaculture, coastal processes, fisheries biology and ecosystem health.

As a result of these and other Sea Grant efforts, we have seen development of a major shrimp aquaculture industry in South Texas, marina initiatives to adopt best management practices and minimize water pollution, nonpoint source pollution reduction from residential landscapes, improvements in seafood handling to reduced loss in the retail markets and expanding marine educational opportunities in support of the state's, and nation's teachers and students.

I urge my colleagues to support the National Sea Grant College Program Act Amendments of 2002.

Mr. GILCHREST. Mr. Chairman, I yield 4 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Chairman, it is with great pleasure that I rise as a cosponsor of H.R. 3389, the National Sea Grant College Program Act Amendments of 2002. I thank the gentleman from Maryland (Mr. GILCHREST) for yielding the time to me, but I particularly want to commend the gentleman from Maryland (Mr. GILCHREST) for his tireless efforts on behalf of this program. I thank the gentleman personally for bringing this bill before us today.

Sea Grant enables us to understand our complex coastal and marine environments, and to develop these natural resources without overextending them. The United States' jurisdiction over marine environments is the largest of any country in the world. It covers an area greater than the entire U.S. landmass. Proper stewardship of the vast resources contained within these waters are of great concern both to the economic and environmental health of our Nation, and Sea Grant plays a pivotal role in the proper management of these areas.

Within Maryland, Sea Grant plays a vital role in maintaining the Chesapeake Bay. As many Members know, we have sorely abused this resource and mismanaged it in the past. Sea Grant is providing the science that is needed to return the bay to its former health and productivity. Sea Grant is improving our understanding of key fisheries issues, including the renowned blue crab stock and the return of the oyster reefs, which provide important food stocks to the region and the country as a whole. Sea Grant plays a lead role in the control of invasive species by studying ways to control the spread to foreign aquatic life and microbial organisms through ballast water and on ship hulls. And Sea Grant makes important contributions to the overall environmental condition by studying and monitoring various pollution and contamination issues through the entire watershed such as urban runoff and industrial waste.

Mr. Chairman, Sea Grant is an important educational program. In Maryland, Sea Grant alone has supported more than 150 graduate research fellows and a similar number of undergraduate fellows. Other programs include research opportunities for high school students, outreach and educational efforts all of the way down to kindergarten. Sea Grant also provides opportunities for public service, sponsoring programs which allow marine scientists to put their skills to practical use in governmental agencies and in the Congress. These programs provide a vital link between the policymakers and scientists, and enrich the decision-making process.

I hope I have convinced Members. Along with continuing these efforts, this bill also makes fundamental changes in the Sea Grant allocation process. Most notably, the Committee on Science, working in a bipartisan manner, has increased the amount of money allocated through merit-based review as opposed to historical involvement.

The best ideas and the most effective programs are most deserving of our limited resources, and should be given priority. Also, competition will allow new ideas and perspectives to gain a foothold in the grant process. These are very positive changes, and I am proud to have played a role in their inclusion. Sea Grant has been very successful, affected our Nation's economic and environmental health in a profound way. It deserves our support. I thank Members on both committees on both sides of the aisle for bringing this bill before us, and particularly the gentleman from Maryland (Mr. GILCHREST).

Mr. UNDERWOOD. Mr. Chairman, I yield 4 minutes to the gentleman from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. Mr. Chairman, I rise in strong support of H.R. 3389, and I commend Members for bringing forth this outstanding reauthorization bill for the National Sea Grant College Program. I should note that I am a cosponsor of this important legislation.

H.R. 3389 makes significant improvements in the Sea Grant program. It reauthorizes the Sea Grant Program within NOAA for 5 years, increases the authorization for appropriations, extends the term of office for members of the Sea Grant Review Panel from 3 to 4 years, and specifies how funds appropriated above fiscal year 2002 levels shall be allocated.

The National Sea Grant Program is a nationwide network of over 300 colleges, universities, technical schools and research institutions that respond to issues and opportunities of national, regional, and local importance. Sea Grant engages partnerships with the public and private sectors to maximize the environmental, economic, and social value of the country's coastal, marine and Great Lakes resources, resulting in an extraordinary return on a small Federal investment.

Studies show that each Federal dollar is leveraged tenfold or more in private sector economic development, often in small businesses. For instance, the Sea Grant Program in my home State of South Carolina has been instrumental in supporting the involvement of students with diverse backgrounds in careers in marine science and others. South Carolina State University, my alma mater, was awarded a 3-year grant from Sea Grant in a national competition to encourage minority students to pursue education and careers in marine and related sciences.

Over the last year and a half, minority students have been supported with internships and mentored by scientists from the South Carolina Department of Natural Resources; the Oak Ridge National Laboratories; a fish hatchery in Orangeburg, South Carolina; and South Carolina State University.

In total, Sea Grant in South Carolina has supported more than 400 graduate and undergraduate students in the successful completion of their theses and dissertations over the last 2 decades, adding significant human and intellectual capital to the State and national workforces. Nationwide, Sea Grant has supported more than 14,000 college students in similar situations.

The southeastern region of the United States is subject to a variety of coastal natural hazards, including hurricanes during the summer and coastal storms during the fall and winter. Risks to life and property will only become more severe with the anticipated growth of coastal populations over the next several decades.

Since 1989 when Hurricane Hugo struck South Carolina, South Carolina Sea Grant has been supporting the work of wind engineers at Clemson University to develop low-cost methods to reduce the loss of lives and property. Many of these solutions can now be observed at the 113 Calhoun Street Sustainability Center, a regional educational and training facility dedicated to extending coastal hazards research information to a diverse group of users.

Mr. Chairman, I urge Members to recognize and acknowledge the many contributions of the National Sea Grant College Program to the Nation's economic development and resource conservation by voting in support of this important legislation.

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

Mr. UNDERWOOD. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Chairman, I thank the gentleman from Guam (Mr. UNDERWOOD) for yielding me this time. It is sad that the gentleman will be leaving us when he gets elected Governor of Guam, and we will not have the privilege of his great leadership on the floor.

I rise in strong support of the Gilchrest substitute amendment to reauthorize the Sea Grant Program. I think we have all benefited here in Congress from the Sea Grant Program because they are also providing us with interns or fellows who are essentially people trained with master's degrees and above on ocean issues. They come and work in and around the legislature, and I have always thought there is a great need to have an understanding of science and politics. When we think about it, we rely on the facts of science in order to make public policy, and so often scientists do not have much knowledge about how public policy is formed or funded. This is a tiny way in at least on marine issues we can bring together scientists and policymakers.

Over half of the Sea Grant funding comes from non-Federal sources, so we are not the only ones that participate, and that means we get a better deal for the Federal buck. I support the Gilchrest substitute because the gentleman is a leader on ocean issues, and I would urge all Members to support it.

The increase in appropriations is necessary to face the growing challenges of the marine environments. We have talked about how important the ocean is to the world. Particularly, the ocean is the birthplace of weather on the planet. We know that we have to understand more about the ocean in order to protect not only our national security, but the world in itself, to be able to live peacefully on this planet.

The gentleman from Maryland (Mr. GILCHREST) has taken the pains to produce a substitute bill which took into consideration the concerns of both the Committee on Resources and the Committee on Science, and even incorporates helpful parts from the Senate version.

Finally, this amendment strongly affirms that the place for the Sea Grant Program is in with NOAA, and I urge Members to support the Gilchrest amendment.

Mr. GILCHREST. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Chairman, I just want to suggest that some of us agree with the President in where it is appropriate to have the Sea Grant Program administered. I just would like to reinforce for our future consideration the possibility and the logic of having this under the National Science Foundation because research is so important as part of the Sea Grant Program as we most effectively and efficiently move ahead with this issue.

It is especially important to the State of Michigan, and I am sure the gentleman from Michigan (Mr. EHLERS) will counsel with NSF as we proceed under his jurisdiction for Sea Grant.

□ 1245

But as we look at next year and the year after, I think it is important that we acknowledge what the administration has suggested in the most appropriate place for the jurisdiction of this program.

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

I would like to acknowledge that one of the most important features of the Sea Grant Program is the Sea Grant fellows. Certainly there have been a number of Sea Grant fellows that have served the Democrat Members on the Committee on Resources. In addition to former fellows Dave Jansen and Jean Flemma, Mindy Gensler in my office and Catherine Ware on the Subcommittee on Fisheries Conservation, Wildlife and Oceans, other past Sea Grant fellows include Sarah Morison, Matt Huggler, Cynthia Suchman, John Fields, Debbie Colbert, and many, many others dating back to the Subcommittee on Merchant Marine and Fisheries.

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

Mr. EHLERS. Mr. Chairman, I yield myself such time as I may consume. I just wish to respond to my good friend and colleague from Michigan (Mr. SMITH) in regard to his comments, because I also am a very strong supporter of the National Science Foundation and the way they handle their research efforts.

But I want to point out that a century and a half ago, this country established one of the landmarks in research efforts in this country, and that is the land grant university system. That system has worked very well precisely because it not only did the research but also through that system we developed a cooperative extension service that literally gets the results from the laboratory to the farmer's fields within 1 year. It is the best technology transfer program we have in the United States.

The reason that I did not support transferring Sea Grant to NSF is simply because they also have an extension service. The Sea Grant Program is modeled not after programs in NSF, but rather it is modeled after the land grant system. For that reason it is better to remain where it is and continue to operate as it is. However, what this bill does is move the Sea Grant Program in terms of its research grants into the NSF model. That is why we are requiring Sea Grant to work cooperatively and coordinate their work with the National Science Foundation and, furthermore, to report back to us on their progress on that score.

Furthermore, this bill also no longer will allocate all the money on an historical basis but, rather, the new money put into this activity from now on will be assigned on the basis of peer review and merit-based evaluations, which again is the model followed by the National Science Foundation.

In view of that, I believe it is better to have the Sea Grant Program remain where it is and not move to the NSF. The NSF is simply not equipped to do the extension and education activities that are included in this bill.

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

The CHAIRMAN. The time of the gentleman from Michigan has expired.

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

I just wanted the opportunity to ratify what the gentleman from Michigan has just stated. The Sea Grant Program makes an enormous contribution not simply because of its applied research, but because of technology transfer and an excellent extension service. Going back to an earlier point made by the gentleman from American Samoa, it is a tremendous vacuum in terms of providing those level of services for Sea Grant in comparison to land grant.

Having worked, I am sure, like the gentleman from Michigan (Mr. EHLERS) in a university in my previous existence, I am very personally familiar with the enormous benefits given to the community, given to applied research, given to technology transfer, given to general community awareness provided by land grant institutions, and certainly one would hope that eventually not that Sea Grant would reach that level but approximate that level.

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

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

I would like to reiterate what the gentleman from Guam (Mr. UNDERWOOD) has said and the gentleman from Michigan (Mr. EHLERS) has said concerning the issue of the National Sea Grant Program falling under the umbrella of the National Science Foundation, both very reputable scientific organizations, and the administration's

hope to improve the type of research in the science by connecting the National Sea Grant Program to the National Science Foundation and the peer review that is so respected that comes out of the National Science Foundation. But what the gentleman from Michigan (Mr. EHLERS) made a comment on in reference to the land grant programs and the agricultural extension agents is also true with the Sea Grant Program so that whenever there is a strange disease with a particular species called striped bass or a problem between the economics or the ecosystem approach to protecting crabs or dealing with a very difficult situation with a toxic microorganism known as physteria, the quick reaction time of the Sea Grant Program is second to none.

We respect the administration's proposal and we will continue to work with them on this issue, and we have in this legislation, to tie those two organizations more closely together. We feel that the independence of the National Sea Grant Program has affected this country in a very positive way.

I want to also thank the gentleman from Guam for his collaboration on the bipartisan work on this and also to work with him, perhaps even after the votes today, to talk about some of the issues dealing with Magnuson, because this is an outstanding piece of legislation that we have here this morning. We want to make sure that the Magnuson bill that we deal with next Tuesday is equally a bipartisan approach to protecting the Nation's fisheries.

In closing, Mr. Chairman, a friend of mine that I have not seen since May 14, 1967, as colleagues in the Marine Corps fighting for democracy in Vietnam, Mr. Gary Downs, is present this afternoon in the House of Representatives. He has worked, as a young man, for freedom for this country and as many years have passed, he has worked to continue that tradition and also to enhance the quality of life for all Americans through his environmental work. I thank Mr. Downs for being here today, and his family.

Mr. PALLONE. Mr. Chairman, I rise today in full support of H.R. 3389, the National Sea Grant College Program Act. I am pleased that we are acting expeditiously to reauthorize this important program in the National Oceanic and Atmospheric Administration so that Sea Grant programs can continue their work encouraging sustainable development of coastal and Great Lakes resources through education, research and outreach.

I believe that we need to strengthen our understanding of the coastal and marine environment given the ever-increasing pressures that threaten to harm these sensitive areas. In order for policy makers and managers to best understand how to direct the use and conservation of aquatic ecosystems and their resources, it is imperative that we have a strong scientific understanding as well as the support of local communities. Due to the interdisciplinary nature of environmental issues, partnerships with Sea Grant have proven to be highly successful in tackling problems that face our nation's oceans, coasts, and Great Lakes. As a Sea Grant extension agent myself, I had the opportunity to see first hand how successful this program can be.

Another reason that I support this bill is due to my concerns over the Administration's proposed transfer of the Sea Grant program from NOAA to the National Science Foundation. I am concerned that the applied science, management, as well as the education and outreach components of Sea Grant will be sacrificed in such a transfer. Sea Grant plays an important role in NOAA's ability to fulfill goals like building sustainable fisheries, protecting coastal and marine resources and mitigating the impacts of natural disasters. This bill calls for the reauthorization of Sea Grant within the Department where it belongs, NOAA.

In my home state of New Jersey, the benefits of the Sea Grant Program are innumerable. New Jersey Sea Grant facilitates technology transfer of research through constituent driven programs of instruction, publications and workshops that are all focused on outcome-based objectives. As a result, thousands of residents have been positively impacted. For example, New Jersey Sea Grant has been able to promote pollution prevention technologies and strategies that protect coastal resources from point sources and non-point sources of contamination.

Sea Grant is a unique program that has been successful over the past 30 years and should continue to grow. H.R. 3389 not only supports, but also strengthens the National Sea Grant College Program. I will vote today in favor of this bill and I would urge my colleagues to do the same.

Mr. GRUCCI. Mr. Chairman, I rise in support of H.R. 3389, the National Sea Grant College Program reauthorization. I thank Chairman EHLERS for his leadership on this important issue, as well as my colleagues on the Resources Committee for their work on this import legislation.

My district is home to the New York Sea Grant College program, of which I am extremely proud. Housed at the State University of New York at Stony Brook and in partnership with Cornell University, this program has conducted cutting edge research on many marine issues throughout the First Congressional District of New York. New York Sea Grant has also studied seafood safety and barrier beach breaches and the surrounding ecosystem, as well as many various marine science projects. Recently, my district experienced a severe die-off of lobsters in the Long Island Sound, a situation that had a serious effect on my constituents and the local economy. I am pleased that Sea Grant received $1.4 million to investigate this important issue and have been working to solve this baffling problem. New York Sea Grant extension and research specialists collaborated to produce a report on the ''Economic Contribution of the Sport Fishing, Commercial Fishing, and Seafood Industries to New York State,'' estimating the combined economic contribution of these three industries at approximately $11.5 billion in New York State. As you can see, the research done at New York Sea Grant is crucial to not only the natural resources but also the economic wellbeing of my constituents. This research is repeated in coastal communities throughout America, helping to understand our waters and marine ecosystems and make our natural resources vibrant and healthy.

H.R. 3389 is a strong, bipartisan bill that authorizes the Sea Grant College Program with its much needed resources. I urge my colleagues to support this bill.

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

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Members are reminded to refrain from referring to individuals in the galleries.

All time for general debate has expired.

In lieu of the amendments recommended by the Committees on Resources and Science printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute printed in House Report 107–514. That amendment in the nature of a substitute shall be considered by sections as an original bill for the purpose of amendment and each section is considered read.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will designate section 1.

The text of section 1 is as follows:

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Sea Grant College Program Act Amendments of 2002''.

Mr. GILCHREST. Mr. Chairman, I ask unanimous consent that the remainder of the amendment in the nature of a substitute be printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of the remainder of the amendment in the nature of a substitute is as follows:

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,''.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

At the end of section 5(a), after the first period insert the following: ''Not later than 1 year after the date of the enactment of the National Sea Grant College Program Act Amendments of 2002, and every 2 years thereafter, the Secretary shall submit a report to the Congress describing the efforts by the Secretary to ensure equal access for minority and economically disadvantaged students to the program carried out under this subsection, and the results of such efforts.''.

Ms. JACKSON-LEE of Texas (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me first of all acknowledge the wonderful partnership that has now been established between the Committee on Science and the Committee on Resources. I am delighted of the words Chairman GILCHREST mentioned with the partnership of the Sea Grant College program under the National Science Foundation to be able to enhance the college for the work that it already does but to provide those standards and accountability. I look forward to working with the Committee on Resources. I appreciate the work of Chairman GILCHREST. I do thank the distinguished gentleman from Guam who, I do not know if we allow a contempt of Congress, but we do not want him to leave. We thank him for his great leadership on these issues, and my colleagues on the Committee on Science, the gentleman from Michigan (Mr. EHLERS) and the gentleman from Michigan (Mr. BARCIA) for their leadership. I am a member of the Committee on Science and have seen the good work of this college.

I live in a coastal community, though many people would argue with me. I come from Houston, but we are 50 feet under sea level and certainly as our neighbors in Galveston saw the most horrific and maybe notorious hurricane in the early 1900s that literally took the island away, we know what it

is to face the sea in all of its challenges. But we also realize the bounty that the sea offers. Therefore, this particular college and its program, I believe, is very vital.

My amendment is simple, but it also reaffirms the good work that this amendment does. For example, I am very pleased to note that this amendment, the substitute amendment, provides fellowships. In particular, the Secretary shall strive to ensure equal access for minority and economically disadvantaged students to the program carried out under this subsection. So we have seen the difference with the access to fellowship in working with institutions in our Nation that reflect both Hispanic serving and African-American youngsters as well as other minorities and, of course, hard-to-serve areas. I cite in particular Texas Southern University, Prairie View A&M, all of the universities in Texas, in the Valley area in South Texas, who are outstanding, that the Pan-American and others that are reflective of the diversity of our State will have the ability to access this program.

The amendment I have calls for a report to Congress describing efforts by the Secretary to ensure equal access to the Sea Grant Program. Education opportunity is the fundamental principle behind the National Sea Grant College Program Act. This program enhances the careers and future of students interested in marine science, marine policy issues, by placing them in a position to take advantage of a national network of Sea Grant colleges and research institutions. When these students thrive in the study of marine science, we all benefit. They provide the cutting edge for scientific information that will help improve the outcome for our environment, increase the potential of our oceans to offer medicines and food, and save the precious resources that are so valuable to America.

All of us are in awe of the oceans and seas. They obviously take their place by being the dominant, if you will, element of this world's structure. Because of the importance of the Sea Grant, we understand more about our oceans and seas. We must ensure that all students with a potential to excel also have access to study the ocean and the seas.

According to census projections, minority groups will make up 50 percent of the United States population by 2050. What we want is all of America to be prepared to be able to tell the story that is so important and do the research that is so important to make this Nation better, but also to take advantage of our resources. It is vital that this partnership between the Committee on Resources and the Committee on Science go forward with the enhancement of the Sea Grant Program. I am particularly pleased as well that the partnership includes coordination with related activities of the National Science Foundation, the Coastal Ocean Research Program of the National Oceanic and Atmospheric Administration, and a lot of other Federal agencies that have the ability to cooperate.

Let me acknowledge that we in America are looking more now for cooperative sharing of information. That usually is attendant to the tragedy of September 11, knowing more, cooperating more, exchanging information, exchanging intelligence. This is a legislative initiative, I believe, that will help us do so. My amendment, then, follows up by saying as we give access to minorities in underserved areas, let us have accountability. This amendment will require the Secretary to submit a report to the Congress describing the efforts by the Secretary to ensure equal access for minority and economically disadvantaged students to the program carried out under this section and the results of such efforts.

Mr. Chairman, I ask my colleagues to support this amendment inasmuch as it will provide accountability and good works on behalf of this legislation.

Mr. Chairman, I rise to offer an amendment to H.R. 3389, The National Sea Grant College Program Act. This amendment calls for a report to Congress describing the efforts by the secretary to ensure equal access to the National Sea Grant Program.

Educational opportunity is the fundamental principal behind the National Sea Grant College Program Act. This program enhances the careers and future of students interested in marine science and marine policy issues by placing them in a position to take advantage of a national network of Sea Grant Colleges and research institutions. When these students thrive in the study of marine science we all benefit. They provide the cutting edge scientific information that will help improve the outcome for our environment, increase the potential of our oceans to offer medicines and food, and save the precious resources that are so valuable to America.

Because of the importance of the Sea Grant we must ensure that all students with the potential to excel have access. According to census projections, minority groups will make up 50% of the U.S. population by 2050. Unfortunately, these groups are traditionally underrepresented in the sciences and more specifically marine sciences. This reality is especially concerning in Texas and similar states where we have a large and rapidly growing minority group such as Hispanic students and teachers. As the demographics of our Nation change we must do everything possible to have all of America involved in the decisions affecting our U.S. coastal resources.

Sea Grant programs have worked hard to change the trend of under-representation of minorities by providing the help and scaffold necessary to increase the participation of minority students at all levels of the educational system. To bring minority students into the sciences, Sea Grant has developed marine science projects that directly involve middle and secondary school students, train teachers, and create educational materials. At the undergraduate and graduate level, Sea Grant program shave provided scholarships, research assistantships, and fellowships to undergraduate students.

I believe this amendment will ensure that the hard work and meaningful efforts of the Sea Grant to encourage and support minority participation will have the broad reach that is so critical to equal access to the sciences. This amendment will help to monitor progress in reaching and providing opportunities for under-represented groups in undergraduate and graduate education.

The Sea Grant has played a major role in educating a significant portion of marine and Great Lakes scientists who hold research and policy degrees in the United States. More than 12,000 graduate assistants have been supported by the Sea Grant and have become a major factor in the Nation's marine sector. These scientists have the skills that will benefit our environment and build our economy. They will help communities address issues of erosion and flooding, improve public access to our marine resources, and shape tourism expansion in ways that protect the environment while enhancing the economy.

The Sea Grant is a relatively small annual appropriation yet it is an investment that yields a large return for our Nation. As a result of Sea Grant research and extension efforts, hybrid striped bass pond culture has expanded in just 10 years from a small demonstration project to an industry producing 10 million pounds of fish valued at $25 million annually. Sea Grant investigators have developed sterile oyster that can be grown year round and now makes up one third of the $86 million U.S. oyster market. Sea Grant research and outreach on Manila clams and blue mussel have resulted in new industries worth $19 million annually. Sea Grant's efforts to develop underwater preserves have boosted the economy of a wide range of businesses in Great Lakes coastal communities. A recent study suggests that diving activity provided an economic stimulus of at least $1.5 million over a two-year period for small towns near the preserves.

The present bill already reflects the need to have equal access of minorities and under-represented groups to Sea Grant programs. Mr. Chairman, this amendment will support the Sea Grant's current efforts to encourage minority participation and ensure accountability and progress in the endeavor to sustain racial, and socio-economic diversity of the Sea Grant Awardees.

Mr. GILCHREST. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I thank the gentlewoman from Texas (Ms. JACKSON-LEE) for her beautiful statement about this legislation, about the intent of the legislation. I also want to emphasize that in our legislation we have assured equal access to this program but her addition to that ensures that in an enhanced way and we are prepared to accept the gentlewoman's amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, I would like to compliment the Committee on Resources and the Committee on Science. As a member of the Committee on Science, I came in with the commitment that we should open up science and math and the understanding of our resources to all of our Nation and have often offered these amendments to expand the outreach.

□ 1300

But I want to applaud the committee for having the access provision. This amendment will hopefully complement it to the extent of providing the accountability.

Might I also say that this is the first amendment of a new staff person of mine, Sophia King. I wanted to acknowledge that and hope she will have many more to open up the opportunities for all of us.

Mr. Chairman, I thank the gentleman so very much.

Mr. UNDERWOOD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as part of the compromise before us, we have agreed to amend the John A. Knauss Marine Policy Fellowship Program to encourage the Secretary of Commerce to strive to ensure equal access for minority and economically disadvantaged students. There was broad agreement that this was a worthy refinement to this outstanding program.

The amendment offered by our colleague, the gentlewoman from Texas (Ms. JACKSON-LEE), would simply amend this provision to require the Secretary to provide an initial report to describe the level of minority and disadvantaged student participation within the Knauss Fellowship Program and also require subsequent reports every 2 years thereafter on progress in providing opportunities for under-represented groups to participate.

I agree with the intent of this amendment, and I congratulate our colleague for this excellent amendment. Certainly we want to encourage NOAA to reach out to under-represented groups to offer them the opportunity to compete for Knauss fellowships like every other graduate student.

Additionally, NOAA has implemented a commendable program of outreach to historically black and minority institutions of higher education, higher learning over the past few years. I would add that all of the institutions I mentioned in the Western Pacific are minority institutions. This amendment would appear consistent with that overall initiative as well.

I believe that the Jackson-Lee amendment will improve the bill, and I urge its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. A recorded vote has been demanded. All those in favor of taking this by a recorded vote are asked to stand and remain standing.

Ms. JACKSON-LEE of Texas. Mr. Chairman, since there will be a recorded vote on the entire bill, I thought it was going to be voiced, if there is going to be a recorded vote on the entire bill, I withdraw my request for a vote on my amendment.

The CHAIRMAN. The request is withdrawn.

So the amendment was agreed to.

The CHAIRMAN. Are there further amendments?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HOEKSTRA) having assumed the chair, Mr. SUNUNU, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3389) to reauthorize the National Sea Grant College Program Act, and for other purposes, pursuant to House Resolution 446, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment in the nature of a substitute.

The amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this vote will be followed by a 5-minute vote on the motion to instruct conferees offered by the gentleman from Florida (Mr. HASTINGS).

The vote was taken by electronic device, and there were—yeas 407, nays 2, not voting 25, as follows:

[Roll No. 237]

YEAS—407

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Baca
Bachus
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Boozman
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Combest
Condit
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sandlin
Sawyer
Saxton
Schaffer
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions

Shadegg
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
Stenholm
Strickland
Stump
Stupak
Sullivan
Sununu
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

Flake
Paul

NOT VOTING—25

Armey
Baker
Bishop
Blagojevich
Blunt
Collins
Conyers
Cooksey
Deal
Gutierrez
Hilliard
Kleczka
Lewis (GA)
Linder
McHugh
Napolitano
Norwood
Putnam
Roukema
Sanders
Schakowsky
Shays
Sweeney
Taylor (NC)
Traficant

□ 1327

Mr. PAUL changed his vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on rollcall No. 237, had I been present, I would have voted "yea."

Ms. SCHAKOWSKY. Mr. Speaker, on rollcall No. 237, I was unavoidably detained. Had I been present, I would have voted "yea."

MOTION TO INSTRUCT CONFEREES ON H.R. 3295, HELP AMERICA VOTE ACT OF 2001

The SPEAKER pro tempore (Mr. SUNUNU). The pending business is the question of agreeing to the motion to instruct conferees on H.R. 3295 offered by the gentleman from Florida (Mr. HASTINGS) on which the yeas and nays are ordered.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Florida (Mr. HASTINGS).

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 206, nays 210, not voting 19, as follows:

[Roll No. 238]

YEAS—206

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Ehrlich
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gilman
Gonzalez
Gordon
Green (TX)
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Quinn
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—210

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas (OK)
Manzullo
McCrery
McInnis
McKeon
Mica
Miller, Dan
Miller, Gary
Miller, Jeff
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sullivan
Sununu
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—19

Barcia
Blagojevich
Conyers
Cooksey
Deal
Edwards
Gutierrez
Hilliard
Lewis (GA)
Linder
McHugh
Moore
Norwood
Putnam
Roukema
Sanders
Shays
Sweeney
Traficant

□ 1340

Mr. FERGUSON changed his vote from ''yea'' to ''nay.''

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MOORE. Mr. Speaker, today I voted for the Motion to Instruct Conferees on H.R. 3295, the Help America Vote Act; however the voting machine apparently did not register my vote. Please let the RECORD reflect that I intended to vote "aye" on House Vote 238.

ESTABLISHING THE SELECT COMMITTEE ON HOMELAND SECURITY

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 449 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 449

Resolved, That there is hereby established a Select Committee on Homeland Security.

SEC. 2. COMPOSITION.—The select committee shall be composed of nine Members appointed by the Speaker, of whom four shall be appointed on the recommendation of the Minority Leader. The Speaker shall designate one member as chairman.

SEC. 3. JURISDICTION.—The select committee may develop recommendations and report to the House on such matters that relate to the establishment of a department of homeland security as may be referred to it by the Speaker and on recommendations submitted to it under section 6.

SEC. 4. PROCEDURE.—(a) Except as provided in paragraphs (1) and (2), rule XI shall apply to the select committee to the extent not inconsistent with this resolution.

(1) Clause 1(b) and clause 2(m)(1)(B) of rule XI shall not apply to the select committee.

(2) The select committee is not required to adopt written rules to implement the provisions of clause 4 of rule XI.

(b) Clause 10(b) of rule X shall not apply to the select committee.

SEC. 5. FUNDING.—To enable the select committee to carry out the purposes of this resolution, the select committee may utilize the services of staff of the House.

SEC. 6. REPORTING.—(a) Each standing or permanent select committee to which the Speaker refers to a bill introduced by the Majority Leader or his designee (by request) that proposes to establish a department of homeland security may submit its recommendations on the bill only to the select committee. Such recommendations may be submitted not later than a time designated by the Speaker.

(b) The select committee shall consider the recommendations submitted to it on a bill described in subsection (a) and shall report to the House its recommendations on such bill.

SEC. 7. DISSOLUTION.—(a) The select committee shall cease to exist after final disposition of a bill described in section 6(a), including final disposition of any veto message on such bill.

(b) Upon the dissolution of the select committee, this resolution shall not be construed to alter the jurisdiction of any standing committee.

SEC. 8. DISPOSITION OF RECORDS.—Upon dissolution of the select committee, the records of the select committee shall become the records of any committee designated by the Speaker.

□ 1345

The SPEAKER pro tempore (Mr. SUNUNU). The gentleman from California (Mr. DREIER) is recognized for 1 hour.

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

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

Mr. DREIER. Mr. Speaker, the resolution allows us to move decisively in a bipartisan manner to establish an empowered Department of Homeland Security. I want to express my appreciation to the gentleman from Texas (Mr. FROST) and my colleagues on the Committee on Rules for helping us proceed in a bipartisan manner in dealing with this issue.

Mr. Speaker, the President's proposed legislation to create this new Cabinet-level agency represents a call to arms for each of us. It is the battle cry of a Nation determined to preserve its hard-won and fundamental belief that its people have an inherent right to freedom.

Today, we take the first important step in answering that call by readying our government to confront a faceless enemy, an enemy attempting to penetrate our borders, threaten our towns and cities and, overall, to rob families and communities of the sense of security that they enjoyed before the attacks of September 11. This is an unprecedented category of war on the home front, and it requires a new approach to securing our Nation.

Mr. Speaker, this resolution is about protecting American lives, not protecting the turf of those here in the Congress. I take very seriously our institutional responsibility to protect the integrity of the congressional oversight process and the ability of committees to exercise their will on matters within their jurisdiction. This resolution facilitates our ability to fulfill those responsibilities without compromising our ultimate and most critical objective of keeping Americans safe from terrorism. Mr. Speaker, as we know, terrorism is an ever-present enemy.

This resolution ensures that we are moving forward with a sense of deliberative urgency, permitting the House to condense the legislative process in a way that will foster a thoughtful and carefully crafted legislative product. In so doing, it establishes a process for considering the President's initiative similar to one that was used a quarter of a century ago by Speaker Tom O'Neill in addressing the energy crisis.

The resolution provides a clearinghouse for ideas, an ad hoc body with the expertise to resolve jurisdictional disputes, and the authority to compile a final package. Instead of potentially lengthy struggles on overlapping jurisdictional issues, the select committee will operate as a type of conference committee for all relevant committees of jurisdiction. Every committee is ensured to have a voice in the process.

Mr. Speaker, with very few exceptions, regular order will be applied to the select committee, meaning it will have to comply with all rules of the House. The select committee is limited in its scope, authorized only to consider legislation creating a Homeland Security Department, and will dissolve once that duty has been completed. The membership will be a small group comprised of elected leaders from both sides of the aisle.

In the President's transmittal message to Congress accompanying the homeland security initiative, he referenced President Truman's previous reorganization of our military forces under the new Department of Defense as an analogy to today's homeland security initiative.

What is also somewhat similar is the philosophy laid out earlier by the first Hoover Commission established in 1947 to study the organization of the executive branch and to come up with recommendations for its reorganization. The commission noted in its report on the general management of the executive branch that ''we must reorganize the executive branch to give simplicity and structure, the unity of purpose, and the clear line of executive authority originally intended.''

Mr. Speaker, one of the commission's underlying principles was that policymaking and standards-setting should be centralized by the President, central management agencies and department Secretaries, rather than controlled at the individual agency level where bureau and subdivision fiefdoms had evolved to create a mass of policy and functional confusion.

While there was no direct or pending security threat at the time, it is appropriate to compare the philosophy of the Hoover Commission to the motivations of the homeland security initiative. The President notes a number of similar themes in his message: ''Our Nation needs a unified homeland security structure;'' ''transforming the current confusing patchwork of government activities into a single department whose primary mission is to secure our homeland;'' the Department ''would have a clear and efficient organizational structure . . .'' And finally, ''history also teaches us that critical security challenges require clear lines of responsibility and the unified effort of the U.S. Government.''

Mr. Speaker, it demonstrates that America is the great Nation that it is because we have been able to look inward at the appropriate times and unify to transform to and adapt our government to changed circumstances.

We have an opportunity to implement a framework that will produce effective and functional changes to the organization of our Federal Government's national security infrastructure. That is why it is absolutely essential that we work together, both here in the House and with the other body, to proceed as expeditiously as possible.

Mr. Speaker, even more important, we must do it the right way, in order to guarantee that our end product is the best solution for addressing our Nation's security needs.

Right now, agencies charged with protecting our borders, enforcing our laws and keeping Americans safe are grouped with those responsible for overseeing the Nation's finances and maintaining the Federal highway system. For instance, the Customs Service plays an important role in protecting America's borders, in the air, on land and at sea, and it has its own intelligence component. Yet, it is housed under the Treasury Department where the primary mission is to manage the government's money and promote stable economies both here and abroad.

Another well-known example is the overlapping roles of the Immigration and Naturalization Service and the State Department when it comes to regulating permanent and temporary immigration to the United States. While the INS has overall responsibility for immigration matters, the State Department is in charge of issuing visas to foreign nationals coming to the United States. The homeland security initiative moves both the INS and the State Department's control

over visa issuance to the new Secretary.

Mr. Speaker, the U.S. Coast Guard is the principal Federal law enforcement agency with jurisdiction in both U.S. waters and on the high seas. It is also prepared to function as a specialized service within the U.S. Navy, and it has command responsibilities for the U.S. maritime defense zones. Yet it reports to the Secretary of Transportation, whose primary mission is to oversee the formulation of national transportation policy.

Without a doubt, securing our homeland is going to require more than the creation of a new agency. Yet there is no question that we must establish an entity that is singly devoted to that purpose, with no distractions and no conflicting objectives.

Rather than the multitude of agencies and bureaus that currently hold homeland security authority, the President's plan charges one agency with responsibility for securing our borders, accessing and analyzing intelligence information, working with local and State governments to manage Federal emergency response activities, and developing chemical, biological and radiological and nuclear countermeasures.

Mr. Speaker, this presidential initiative represents bipartisanship at its best. As we address the security needs of our homeland, passage of this resolution is a bold and important step toward that end.

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

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

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

Mr. FROST. Mr. Speaker, in the aftermath of September 11, the people of this Nation have pulled together to meet the first great challenge of the 21st century.

Across the globe in Afghanistan, the men and women of the United States Armed Forces prove their courage and skill on the battlefield once again, and here in Washington, Democrats and Republicans put aside partisanship to support the war on terrorism.

Still, Mr. Speaker, much remains to be done, especially in the area of homeland security. For months, Democrats and a few Republicans have argued that homeland security must become a Cabinet-level priority. I myself am a cosponsor of a House bill to do just that. So there was bipartisan support for the President's decision a few weeks ago to reverse his prior opposition to a new Department of Homeland Security.

By itself, reorganizing the Federal Government will not ensure Americans' safety, but it is an important first step, and the short 35-page bill submitted by the administration yesterday provides a useful starting point, even as it raises a lot of important questions.

How will it improve the effectiveness and efficiency of the Government's intelligence operations? How will it change the relationship between individual Americans and the Federal agencies, FEMA and the Coast Guard, for instance, that now provide them with crucial services?

Additionally, Mr. Speaker, we must work through important questions about the nature of the agency itself. We must ensure that Americans' fundamental values, rights and liberties are not sacrificed on the altar of this new governmental structure. That includes the employment rights of the public servants who will work in this department and devote their lives to protecting their fellow citizens.

We must honestly address the question of how much it will cost taxpayers to set up and operate this new Federal department. America's national security is not cheap and neither is its homeland security. Just yesterday, for instance, the Republican staff director of the Senate Budget Committee pointed out that additional costs seem likely.

Mr. Speaker, the Congress must answer these and other questions to ensure that creating a new Department of Homeland Security accomplishes more than just moving Federal employees around Washington but actually makes Americans safer in this new war against terrorism.

That is why it is so important that we follow regular order and draw upon the tremendous experience and expertise in the standing committees of jurisdiction. Many of our Members have literally decades of experience with these matters. Simply put, they know what works and what does not work in the real world.

Mr. Speaker, Democratic Leader GEPHARDT was right to set September 11 of this year as the deadline to create the new Department of Homeland Security. That deadline is less than 3 months from today, but is a full year from the infamous day when terrorists made clear America's new homeland security needs.

Make no mistake, Mr. Speaker, we can meet that goal, but it will require the type of bipartisanship we saw immediately after September 11. Fortunately, the Speaker seems to understand that, and so today the House is taking an initial step down the long road toward the real and substantive cooperation necessary to create an effective Department of Homeland Security.

Of course, sticking to the path of bipartisanship will require determination at all stages in the process, in the initial work of the standing committees, as the select committee itself reconciles their approaches, and as the Committee on Rules sends that product to the House floor.

Indeed, the end of the process will be as important as the beginning. So I urge the Speaker to commit to bringing the final bill to the House floor under an open rule. That way we can ensure that the will of the entire House is reflected in what we pass.

Mr. Speaker, we all understand how absolutely critical it is that partisan politics play no part in our deliberations. This is no time for any political party's agenda. It is time to prove that we are worthy of this monumental task to protect our Nation and its citizens, and to reassure them that their government is part of the solution, not part of the problem.

Democrats are eager to get to work reorganizing on this critical task. So I urge the adoption of this resolution.

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

□ 1400

Mr. DREIER. Mr. Speaker, I am happy to yield 1 minute to my friend, the gentleman from Irving, Texas (Mr. ARMEY), the distinguished majority leader, for the purpose of a colloquy.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding me this time, and this resolution simply authorizes the Speaker to appoint a Select Committee on Homeland Security consisting of five House Republican Members and four House Democrat Members.

The purpose of the select committee, which will have hearing authority and the same markup and reporting authority as standing committees, is to review the various recommendations from the standing committees of jurisdiction and report to the House one comprehensive bill that will create the Department of Homeland Security.

This resolution carries an authorization for the select committee to utilize the services and resources of the staff of the House of Representatives and shall cease to exist after final disposition of the bill, including final disposition of any veto message on such a bill.

The precedent for such a select committee is clear, and thanks to the bipartisan support I have received from the gentleman from Missouri (Mr. GEPHARDT), the Democrat minority leader, I am confident that we can meet the President's deadline for enactment of this session.

With respect to timing, tomorrow I will introduce the bill sent up by the President and that will be referred to the select committee. Standing committees with a legitimate jurisdictional claim will receive an additional referral, with the understanding that they will provide recommendations to the select committee no later than July 12, 2002.

Finally, it is the Speaker's goal to schedule this legislation for floor consideration in the House the week of July 21, 2001. At that time, it is the Speaker's intention that he and the Democratic Leader propose to the Committee on Rules a resolution governing the consideration of the select committee's product and jointly recommending that it be adopted.

Ms. PELOSI. Mr. Speaker, will the gentleman yield?

Mr. ARMEY. I yield to the gentlewoman from California.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding. I would like to join the majority leader in support of this effort. The fight against terrorism is our most urgent national security priority, and the creation of a Department of Homeland Security is a big step in the war against terrorism. However, it will take a great deal of our effort beyond just the formation of this department to protect our Nation.

Let me thank the gentleman and the Republican leadership for the bipartisan manner in which this process has developed so far. We believe that bipartisanship should continue throughout this process, during the committee markups, within the select committee that we are creating, and during the floor consideration of our final work product.

Many of our Members have developed proposals along these lines. It is our intention to do everything we can to make this department an effective tool in the war against terrorism. It is also imperative that the 170,000 workers who will be affected by this transition continue to receive all of the rights they now enjoy as employees of the Federal Government. Agencies that do a highly-effective job for the American people, such as the Coast Guard and FEMA, must be empowered so that they can continue to do their crucial work and that work beyond homeland security.

Mr. Speaker, I would like to ask a few clarifying questions of the majority leader. First, the rule governing consideration of this legislation will be jointly recommended by the Speaker and the Democratic leader and then brought to the Committee on Rules. The rule will preserve minority rights protected by the House and will be a fair process; is this correct?

Mr. ARMEY. Reclaiming my time, Mr. Speaker, I thank the gentlewoman; and let me say, yes, and I will restate that it is the Speaker's intention that he and Democrat Leader GEPHARDT propose to the Committee on Rules a resolution governing the consideration of the select committee's product and jointly recommend that it be adopted.

Ms. PELOSI. I thank the majority leader, and if he will continue to yield for a second question:

Nothing in this process will restrict the traditional rights of the minority or the rights of the committee in being named as conferees for the final product; is that correct?

Mr. ARMEY. Again reclaiming my time, I thank the gentlewoman for her question, and I will advise the gentlewoman that under House rules the Speaker will retain all of his prerogatives under this resolution with respect to the naming of conferees.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding and once again express my appreciation for the bipartisan cooperation we have had here today.

Mr. ARMEY. Mr. Speaker, I too would like to thank the gentlewoman for the spirit of cooperation we have already enjoyed working together on this very important matter before the American people, and I thank the gentleman from California for yielding me this time.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the distinguished ranking member of the Committee on Rules, the gentleman from Texas (Mr. FROST), for yielding me this time.

Mr. Speaker, I may be in a small minority in this House, but I just heard the majority leader say that this was to be done on the recommendations of all the standing committees, with reference to this consolidation, effective by July 12. We are going to adjourn next Friday, presumably, on June 28. We are going to come back on July 9 or 10 from our July 4 break. As I compute it, therefore, that leaves about 9 legislative days to consider the consolidation of agencies which have under their aegis almost $39 billion in expenses and have over 160,000 Federal employees.

I have great reservations about what I perceive to be a rush to judgment on this issue. Do I believe we need to organize well to confront those who would undermine our country? I do. Do I believe that reinventing and reassessing the operations of the government on a periodic basis are necessary? I do. Do I believe, however, that in the face of threats, that we ought to do something that we might not otherwise have done? The answer to that is an emphatic no.

Now, I may well support this effort, but I think it is a serious effort. The gentleman from Ohio (Mr. PORTMAN) is seated here. He participated in a major effort, not to redeploy one of our largest departments, the Internal Revenue Service, but to reorganize it internally and to make it run better. He and I had some disagreements on that, but ultimately we all supported that effort and he did great work. But he will tell my colleagues that that one department, substantially less than 160,000 people, with no cross-jurisdictions because it was one department, was a complicated effort that needed time to effect.

I would hope that everybody in this body would take this responsibility very seriously and give it the time necessary to effect an end that in a year from now or 10 years from now we will be able to look back on and say we did our work well, we did it thoughtfully, we did it carefully, and we did it well.

Mr. Speaker, let me also observe that I have great concerns about the general waiver that is accorded to the Secretary of the Department in this legislation with reference to protections of Federal employees incorporated in law, in other words, not rule or regulation, but passed by this Congress, signed by a President of the United States, to ensure that our Federal employees have the kinds of protections and benefits that we believe were necessary not only to recruit and retain those Federal employees but to treat them fairly within our system.

The legislation, as I understand it, that has been proposed by the President gives to the Secretary the power to waive those. I do not think that we ought to do that, and I hope that we do not do it. I will be focused on that as we move along in consideration of this legislation.

Mr. Speaker, I thank the gentleman for giving me this time to express some caution as we approach this weighty and difficult task.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume to just say very briefly, in response to the gentleman's statement, that I believe in my opening statement I made it very clear that while we want to do this in an expeditious manner, we want to make sure that it is done right. We have certain constraints with which we have to deal if we are going to successfully meet the September 11 goal that was first set forth by the minority leader. And in light of that, the July 12 deadline, then our goal of trying to begin reconciling differences as we head towards the August break are dates that have been put forth.

But I do believe that first and foremost, as I said, we must do this correctly. So in that light, I do agree with my colleague.

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

Mr. DREIER. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank the gentleman for his comments because I think we agree on that issue. The important issue will be that we do this right, and to that extent I agree with my friend.

Mr. DREIER. Mr. Speaker, I yield 3 minutes to my friend, the gentleman from California (Mr. ROHRABACHER), who has long been a hard fighter on behalf of our homeland security and other national security questions.

Mr. ROHRABACHER. Mr. Speaker, I rise in strong support of H. Res. 449. Yes, it will permit us to do the job right because we are committed to doing this job well, but it will also permit us to set the task of doing this job expeditiously, as the gentleman from California (Mr. DREIER) noted.

Why should it be done expeditiously? Because we are at war. Let us not forget what this is all about. Three thousand of our citizens were slaughtered by a hostile foreign enemy. We are at war. Our military is in action in Afghanistan, in the Philippines, and perhaps in the near future in Iraq. Our intelligence agencies have been mobilized. That is what one expects in war.

But as in past wars, especially in this new type of war, what the defense of the homeland is about is about winning that war. It is part of the strategy of victory. And to accomplish the security of our homeland and the safety of

our people, we need a restructuring and we need to do it in an expeditious fashion. That is what this effort is all about. But it is more than just redrawing the lines on a flow chart. We must also have a change in attitude, a new sense of vigilance that comes with the creation of a new Department of Homeland Security.

I am personally pleased to see, for example, that the INS will reorient their job toward protecting our borders and protecting the security of the United States of America in dealing with the illegal alien problem. Our homeland is in jeopardy, and a restructuring is absolutely necessary; and we have begun today with this effort to provide the restructuring that will be necessary to legal procedures. George Bush is providing the aggressive leadership on the executive end. We are providing this restructuring on the legislative side, and we are working under the aggressive leadership of our President in this wartime situation. And what is necessary for victory is a unity, not just between the executive and legislative branch, but also between the political parties; and that is what this effort is about today. It is a bipartisan effort. It is a team effort. We are proposing a select committee to expedite the creation of a Homeland Security Department.

So let the terrorists of the world know we will pursue them overseas and we will protect our homeland and we will win this war against this evil that threatens our people, our homeland, and the world.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

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

Mr. MENENDEZ. Mr. Speaker, I thank the distinguished ranking member on the Committee on Rules for yielding time.

Protecting the American people is our first obligation, and I know that we as Democrats are committed to working with all of our colleagues here in the House to protect our families, our cities, and our way of life from the enemies of freedom. In this work, maybe the most important work of our generation, there are no Democrats, no Republicans, only patriots. Following September 11, I assumed the chairmanship of the Democratic task force on homeland security, which introduced two comprehensive bills that addressed the threat of bioterrorism and future terrorist attacks on our Nation. We successfully united the entire Democratic caucus behind our legislation, and we are proud to see that major provisions of that legislation has in essence been enacted into law. Now as we pursue the select committee and its proposed work along with the committees of jurisdiction, we Democrats have, I believe, certain principles that will seek to guide us. We strongly embrace and support the reform and reorganization of departments and agencies with responsibilities for homeland defense, but we seek a continuing and thorough review of the events and factors that led to the tragic and unfortunate deaths of September 11.

□ 1415

Such reform and reorganization, coupled with a comprehensive threat assessment and strategy to address threats to the American homeland, is the best way to improve the safety and security of the American people. We are glad that the President has come to agree with Democrats that the head of Federal homeland security efforts must have the requisite statutory and budgetary authority to effectively and efficiently protect America from terrorism.

But we also believe as we protect and defend our country, we must protect and defend the Constitution, the Bill of Rights, and our civil liberties which collectively is the rock upon which we have built our life as a society. We also believe when the hometown is secure, the homeland is secure. So as we consolidate the Federal Government's homeland security functions, we need to ensure that the hometown is secure.

The democratic principles of getting more money out of Washington and into our communities for police, fire, emergency management and public health will be a guiding principle as we try to succeed in this reorganization.

Finally, the select committee is a continuation of our efforts to address the challenges ahead. Yes, we need to do it expeditiously on behalf of the American people, but we need to do it well. 170,000 employees, $39 billion in the budget, these are very significant items, which is why we seek to have the White House submit an amended budgetary process in order to make sure that we do this in an open and fiscally responsible manner.

Those are some of our challenges. They are legitimate public policy issues. These are trying times; but as a united Congress, and with the support of the American people, we can rise to that occasion, we can make our homeland secure, and we can do it in a way in which the American people will be proud.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. PORTMAN.)

Mr. PORTMAN. Mr. Speaker, I rise in strong support of the resolution before us today. I was delighted to hear the gentleman from New Jersey (Mr. MENENDEZ) talk about some of the principles that the gentleman feels strongly about, that he identified as principles on his side of the aisle. They are principles that I think both sides of the aisle support: Focusing on first responders, focusing on the rights of American citizens, focusing on doing this in an expedited manner, and doing it right.

For me, this reminds me a lot of where we were right after September 11 when there was a certain urgency, and in the House and Senate we came together across party lines and did the right thing for the American people. I see that again with regard to this proposal to create a new Department of Homeland Security, and I am very supportive of the Speaker's resolution today to create a select committee that helps us get to that process, chaired by the majority leader.

I believe the need for this department is very clear. There are over 100 government agencies now responsible for homeland security. In a sense, everyone is in charge; so no one is in charge. One of our tasks is to align authority with responsibility. By doing that, we can ensure some accountability so that someone is in charge and someone is accountable to ensure that we are doing all we can to protect the homeland.

It is a complicated and important task. I think again united in a bipartisan way, there is no reason we cannot get it done. As I see the reaction in the House and Senate, and yesterday when the President brought his proposal forward and Tom Ridge presented it, I see that kind of unified response that will help us get this done.

I am pleased the Speaker has set up a process that will allow all the authorizing committees to have input into the process. After all, that is where the expertise resides, and it will be those committees that will provide that expertise and put together recommendations as to how to reorganize these departments and agencies.

We need to be sure that the creation of the Department of Homeland Security is not oversold. This will not make us immune from terrorism. What it will do is it will maximize our ability to protect our citizens. After all, that is the fundamental responsibility of the Federal Government, to protect our country and citizens.

Congress is not generally known for getting things done quickly. There is a joke that it takes us 30 days to make instant coffee around here. But as we have demonstrated after the tragic events of September 11, when we work in a bipartisan fashion to get things done, we can. We are called on today to do that again. This resolution will help us do it.

Mr. Speaker, let us roll up our sleeves and get to work to reorganize the Federal Government to best protect our country and our citizens.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. HASTINGS), a member of the Committee on Rules.

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise today in support of H. Res. 449, a resolution which calls for the establishment of a temporary Select Committee on Homeland Security. The committee will review the recommendations of standing House committees and create a comprehensive bill for House floor consideration.

The President's goal and the ranking member's goal, the minority leader's goal is to sign this bill into law on September 11, 2002.

This is a goal, Mr. Speaker, that I believe is attainable, but difficult to do. There are an estimated 33 subcommittees that can legitimately claim jurisdiction over the President's proposal to establish a Cabinet-level department. Under H. Res. 449, the select committee wil be composed of only nine members. My concern is that a nine-member select committee is too small to incorporate the expertise that will be required to consolidate the recommendations of the standing committees.

These nine members will be required to have expertise in areas as far ranging and diverse as government reform, intelligence, transportation, agriculture, and chemical and biological warfare, just to name a few. This is an awesome task for nine mere mortals.

Mr. Speaker, I believe that the President's initiative to create a new department which consolidates national security missions is long overdue. The concept is not a new one. Actually a plethora of legislation, including a proposal which I introduced, H.R. 3078, has been brought forward. My bill would have established the National Office for Combating Terrorism. It includes an initiative to develop policies and goals for the prevention of and response to terrorism and for the consolidation of local, State and Federal programs.

I am pleased to see that the administration is incorporating some of our ideas into a comprehensive plan to streamline the workings of the executive branch, and let us have on notice that it took the administration quite some time to come to this view.

I share the concerns of the President and the rest of the Nation. We need to consolidate our efforts to ensure that we are prepared for terrorist threats or attacks. However, we must balance this priority with caution and common sense. We must not lull our Nation into a false sense of security by implying that we have fixed a problem that indeed we have not.

The threat of another terrorist attack is foremost in our minds, and in our rush to protect ourselves, the President has requested that we complete this legislation as quickly as possible. Including weekends and holidays, September 11, 2002, is 82 days away. Even if we remained in session for our scheduled August recess, I believe that this time frame is hard to achieve. It will take nine members more than a few weeks to design a Department of Homeland Security capable of reducing America's vulnerability to terrorism and preventing future attacks against the United States.

Mr. Speaker, I have a word of caution for my esteemed colleagues: If we do not take the time to do it right, we will have to make the time to do it over.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CHAMBLISS), a member of the Permanent Select Committee on Intelligence.

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

Mr. CHAMBLISS. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in support of this resolution today. I am one of those who has resisted and been opposed to the legislation that has been filed in this House to this point in time, attempting to create and legislate the Office of Homeland Security. The reason I have resisted is as a member of the intelligence community, and one who has worked closely with Governor Ridge and his staff, I felt like the Governor, who has done a superb job as the Director of Homeland Security, needed to have the flexibility given to him by the executive order coming out of the White House to walk through the minefields and find out where the potholes are in homeland security. And once he has done that, let us come back and craft legislation. As the gentleman from Maryland (Mr. HOYER) stated, we can then know we are doing it right.

Well, the time has now come to do that. I applaud our President for making a bold decision to create a new Cabinet-level position and to restructure government, to meet this long-term issue of homeland security, and in order to ensure that we win this war on terrorism, it is now necessary that this office be created.

This resolution is the first step towards doing it right. I applaud the leadership for their bold initiative to structure this committee the way it is. I think in order to get the job done, that is the way the committee should be structured. Every committee is going to have the ability to exercise their jurisdiction over their particular turf. Again, that is the way it should be done to do it right. This is the right way to do it. I support this legislation, and I urge its adoption today.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST) particularly for the gentleman's wisdom in the immediate hours after September 11, to help organize for the Democratic caucus the Homeland Security Task Force. Many Members gathered within 24 hours outside of the Capitol to be able to discuss the immediacy of responding to the crisis and the tragedy of September 11.

I would also like to add my appreciation for the gentleman from New Jersey (Mr. MENENDEZ) who served as the chair of that task force, as I served as the vice chair on one of the law enforcement subcommittees. This was an effort to recognize the importance of congressional oversight and involvement in addressing these questions. So it is without a doubt that I support the Department of Homeland Security that has been offered by the President in his legislative initiative presented to this Congress just yesterday.

As I begin to review it, I believe it is a very effective first look at how that department will be created. But, Mr. Speaker, I am a believer in the tenets of the Founding Fathers and the basis of the People's House. The design of this House of Representatives is that to be reflective of the people of the United States of America. They want us to be responsible for the decisions made to govern this Nation. Our Constitution clearly designates three branches of government: Judiciary, executive and legislative.

I believe the House of Representatives has an imperative duty in accordance with the words of Madison and the rest of our Founding Fathers to do our job. That means that those who represent the people of the United States should be engaged in the oversight and the design of this department.

It is very clear that there are a number of committees who have jurisdiction, and I would offer to say in light of the backdrop of the tragedy, not one of us is claiming turf. There is no argument of turf. There is a question of jurisdiction and oversight.

My concern about this particular legislative direction is a select committee of nine individuals who will not have the encompassing experience to address the totality of the issue. I believe it is important for the committees of jurisdiction to be able to do their job, and let me give an example. The Committee on the Judiciary shortly after September 11 was called to the task to pass the Patriot Act. And although it may have changed on the floor of the House, we did it expeditiously and with consensus. Whether one agrees or disagrees with that legislative initiative, it is now in place.

□ 1430

We were then called to do the restructuring of the INS, now named the Barbara Jordan Immigration and Naturalization Reform Act. That was done expeditiously and voted on the floor of this House by a vote of 405–9. It disturbs me that we have legislation now that precludes the input, if you will, in a more effective manner from the members of the committees of jurisdiction. Not that there is not some value to the culling of the work to be done by the House in a select committee.

I worked for a select committee, the Select Committee on Assassinations that investigated the assassinations of President Kennedy and as well Martin Luther King. Select committees can be effective. Mickey Leland, my predecessor, encouraged the Select Committee on Hunger. But this is too important an issue to narrowly focus the decision-making around a body of just nine.

I would ask my colleagues to consider the expertise needed in this particular legislative initiative. I would

also welcome any further explanations as to how the committees of jurisdiction will provide their insight, their expertise. As I look at the creation of the department, at least as proposed by the President, the Department of Border Safety and Transportation, this begs the question of how you will organize the Border Patrol agents whom I just visited with in El Paso, Texas, around this particular concept. The expertise of the committees of jurisdiction are needed. We can do this together. We can do this timely. But do not shut us out. Do not shut the expertise of the Members of Congress out and realize that we do have the responsibility of oversight to make this a better piece of legislation.

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

This is a very important proposal before us today, and it is in fact a bipartisan proposal; and I think it speaks well of this institution that we can work on a bipartisan basis on something this important. I also am pleased that the leadership on both sides has now agreed that once the select committee has acted that the matter then will be brought to the Rules Committee and that the Rules Committee will then handle this in the normal way, adopting a rule for consideration on the floor. I would hope that when we do that, that we would adopt an open rule so that the key issues can be joined on the floor.

This is a very important decision that we will be making. There are many people in the House who have some very good ideas. I hope they will be given the opportunity to offer those on the floor during consideration of this important piece of legislation.

I would point out to the House that in the late 1970s when the Department of Education was created, that was considered on this floor under an open rule procedure. Everyone had the opportunity to offer their ideas, votes were held and we ultimately adopted the legislation creating the new department. Certainly that is an appropriate model for the decisions that we will be making later this year. I urge adoption of this resolution.

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

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

Mr. Speaker, on September 11 this Nation and the world faced one of the most extraordinary challenges in our Nation's history. It was a tragedy that caused tremendous loss of life and suffering all over the world. People from 80 nations were in the World Trade Center when we saw the attack that took place.

In the days and weeks and months that have followed September 11, it has been very gratifying to see a silver lining in that dark cloud of September 11. That silver lining has been the sense of solidarity among the American people, and that has been represented very well here in the United States Congress, the greatest deliberative body known to man. We saw President Bush act swiftly following September 11 by asking our former colleague, Governor Tom Ridge, to lead the effort to deal with homeland security. We have now taken that next step to begin today to put into place an effort which will establish a Department of Homeland Security. As the President has said, it is not designed to expand the reaches of the Federal Government. Instead it is designed to take these multifarious agencies which fall under the rubric of a wide range of entities and bring them together, consolidate them, so that in fact there will be a level of accountability, accountability so that in fact our homeland security will be more effectively addressed.

In 1854, Henry David Thoreau said, ''For a thousand hackings at the branches of evil, it is worth nothing to one strike at the root.''

Mr. Speaker, we have seen our great President, the Vice President, the Secretary of Defense, our national security adviser, the Secretary of State and others focus on that root of evil, the al Qaeda and other terrorist organizations around the world. What we are doing here with the Department of Homeland Security is we are focusing on these branches that still need to be addressed because we are working diligently to get at the root, but at the same time we still face a threat here in the United States. I believe that the vote which we are going to take momentarily will be the first step towards dealing with this very important issue of establishing a Federal Department of Homeland Security. I urge my colleagues to support it.

Mr. CASTLE. Mr. Speaker, I want to thank you and the leadership for working quickly to address the legislative requirements needed to begin the process to take up legislation regarding the creation of a new Department of Homeland Security. I praise the White House for its swift delivery of the proposed legislation and now it is the House of Representative's turn to move forward on this monumental proposal by drafting and overseeing the legislation that will make this all a reality.

I am pleased that the leadership has made the needed provisions to take up the President's proposal in a way that will lessen the prospect of jurisdictional gridlock and perhaps the untimely implementation of the new Department of Homeland Security. H. Res. 449 will allow for a temporary House Select Committee on Homeland Security to receive and review individual recommendations of current House standing committees to create a new Department of Homeland Security, and for consolidating these proposals into a comprehensive bill for House consideration.

This is a great first step, and I look forward to working with the leadership and the White House to move the legislation through Congress and to implement the President's historic proposal. However, we must unite to ultimately form a permanent standing committee in Congress with an adjoining appropriations subcommittee to oversee our domestic security. This is a permanent Department and we need a permanent committee to oversee it.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBERS TO SELECT COMMITTEE ON HOMELAND SECURITY

The SPEAKER pro tempore (Mr. BONILLA). Without objection, and pursuant to section 2 of House Resolution 449, 107th Congress, the Chair announces the Speaker's appointment of the following Members of the House to the Select Committee on Homeland Security:

Mr. ARMEY, Chairman,
Mr. DELAY,
Mr. WATTS of Oklahoma,
Ms. PRYCE of Ohio,
Mr. PORTMAN,
Ms. PELOSI,
Mr. FROST,
Mr. MENENDEZ,
Ms. DELAURO.

There was no objection.

MESSAGES FROM THE PRESIDENT

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

PERIODIC REPORT ON NATIONAL EMERGENCY WITH RESPECT TO RISK OF NUCLEAR PROLIFERATION IN RUSSIAN FEDERATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107–228)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report prepared by my Administration on the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation that was declared in Executive order 13159 of June 21, 2000.

GEORGE W. BUSH.

THE WHITE HOUSE, *June 18, 2002*.

REPORT ON NATIONAL EMERGENCY REGARDING PROLIFERATION OF WEAPONS OF MASS DESTRUCTION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107–229)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

As required by section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), I transmit herewith a 6-month periodic report prepared by my Administration on the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994.

GEORGE W. BUSH.
THE WHITE HOUSE, *June 18, 2002*.

CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO RISK OF NUCLEAR PROLIFERATION IN RUSSIAN FEDERATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107–230)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the emergency declared with respect to the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation is to continue beyond June 21, 2002, to the Federal Register for publication. The most recent notice continuing this emergency was published in the Federal Register on June 14, 2001, (66 FR 32207).

It remains a major national security goal of the United States to ensure that fissile material removed from Russian nuclear weapons pursuant to various arms control and disarmament agreements is dedicated to peaceful uses, subject to transparency measures, and protected from diversion to activities of proliferation concern. The accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation continues to pose an unusual and extraordinary threat to he national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared with respect to the accumulation of a large volume of weapons-usable fissible material in the territory of the Russian Federation and maintain in force these emergency authorities to respond to this threat.

GEORGE W. BUSH.
THE WHITE HOUSE, *June 18, 2002*.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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.)

CRISIS IN THE MIDDLE EAST

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

Mr. ENGEL. Mr. Speaker, in light of yet another suicide bombing in Israel yesterday, I think it is incumbent that all of us reflect on the targeting of innocent civilians in a reign of terror carried out by the Palestinian Authority and other organizations under its control. We can no longer, if we ever could, stand idly by and allow these suicide bombings targeting innocent civilians to take place time and time and time again, and every time say that Mr. Arafat has to do more to prevent terrorism, Mr. Arafat has to show that he can step up to the plate and combat terrorism.

At what point do we simply say enough is enough and move beyond Mr. Arafat? I think that point has come and gone a long time ago.

□ 1445

President Bush is supposedly going to make a statement within the next few days talking about a so-called ''provisional'' Palestinian state. I would say to the President and to my colleagues and to everyone concerned that there ought to be no declaration of any kind of Palestinian state, provisional or otherwise, as long as Palestinians continue their reign of terror against innocent civilians. In a civilized world, supposedly, there should be no talk of rewarding terror with a state, provisional or otherwise.

When President Bush several months ago said to the world, you are either with us or you are with the terrorists, that was very clear. Black and white, no shades of gray. And, if it applies to us, it should apply to Israel and every other nation on this Earth.

If we are justified, and we are, going halfway around the world to destroy the Taliban in Afghanistan because of terrorist attacks upon our Nation, and let me say as a New Yorker and as someone who works in Washington, no one feels the pain of those attacks more than I do, if we are going halfway around the world to root out terrorism in Afghanistan, then Israel should be allowed to do the same thing in her own backyard.

Mr. Arafat has shown that he is a terrorist, that he has never grown out of being a terrorist, that he always has been a terrorist, and he will continue to be a terrorist. Therefore, I think that this country should not talk with him, should not recognize him, should not discuss anything with him; and we ought to tell the Palestinians, come back and talk to us when you get some responsible leadership. Come back and talk to us when there are reforms in your leadership. Come back and talk to us when you have a leadership that does not use terror against innocent civilians as a negotiating tool.

This is something that cannot be tolerated. I do not want to hear about grievances on both sides or perceived hurts. It is never an excuse for terrorism against innocent civilians.

As to this notion put forward in some of the Palestinians corridors that if only Israel would withdraw, everything would be wonderful, there would not be a problem, and peace would reign supreme, the fact of the matter is that 21 months ago Israel agreed to withdraw. There was a plan that was being negotiated which would have given the Palestinians a state of their own, on 100 percent of Gaza and 97 percent of the West Bank, with billions of dollars of aid, a state of their own, the end of the occupation. Israel said yes, the United States said yes, the Palestinians said no. Yasser Arafat rejected it and walked away, did not come forth with a counterproposal, did not stay and negotiate a proposal that might be better for him. He said no, and unleashed the intifada, unleashed terrorism and unleashed violence. That ought not to be rewarded.

I would hope that we would make it very clear again that the time has come to say good-bye to Mr. Arafat. It is not a matter of whether he can control the terrorism, whether he wants to do so. He is the terrorist. Three-quarters of the terrorist attacks against Israel during the past 21 months have come from organizations that he controls. The al-Aksa Brigade, the al-Aksa so-called Martyr's Brigades, which our State Department has declared as a terrorist organization, is under Mr. Arafat's control. They have taken credit for the bombings. Tanzeen, 4/17, the Fata Umbrella Group. They have been responsible for three-quarters of the bombings.

So it is time for us to say good-bye to Mr. Arafat. It is time to tell the Palestinians, no state, unless you have responsibility, unless you show responsible leadership; and it is time for the United States to continue to stand shoulder to shoulder with the people of Israel in fighting the terrorism around the world.

HOLDING CORPORATE AMERICA ACCOUNTABLE

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

Mr. ISAKSON. Mr. Speaker, this morning I read the following quote from Matthew Ruane, director of listed trading at Gerard Klauer Mattison and Company: ''There's a lack of liquidity, a lack of reason to buy, terrorism fears and earnings issues out there, especially in the drug sector.''

The statement was in response to a question regarding the continued decline of the major stock indexes in America. I have no quarrel with the facts included in this statement. It is the omission that troubles me. In the mind of many Americans, this American included, there is an integrity crisis on Wall Street and in corporate America.

I am a businessman of 34 years, former director of two banks, an investor in the stock market and a strong believer in the power of the free enterprise system. Yet with that power comes responsibility. In the past year, the American investor has seen a host of disturbing news stories centered on the issue of corporate integrity and few, if any, have been encouraging.

I have great confidence and respect for American businesses and the men and women who run them. But the silence of these good men and women is becoming deafening. Enron, Arthur Andersen, Wall Street brokerage houses, executive compensation, document shredding, insider trading and other stories confront the average American every day, with little or no response from corporate America, other than an explanation.

Corporate America is not a fraternity, nor should it be. Neither should Wall Street brokerage houses be a fraternity. I acknowledge they have common interests, but those interests are secondary to the interest of the American economy, the American investor and their individual stockholder.

What is my point? Simply put, corporate America and Wall Street face a crisis that will not pass on its own; and just as the shareholders of Enron were the big losers in their crisis, many Americans now fear that they, not the corporate boardroom, will be the big losers.

It is time for corporate executives to speak out. Wall Street needs to look in the mirror and ask itself serious questions, the answer to which is not ''this too shall pass.''

Unlike 20 years ago, more and more Americans depend on their 401(k) and investments for their retirement; and, because of that, more Americans than ever are in the stock market. Wall Street has become an insider's game played with outsider's money. The strength of the market has become more dependent on individual confidence of average Americans, but that confidence is eroding.

Endless reports of questionable practices and alleged crimes have only served to accelerate investor concerns that began with the market's decline in the first quarter of 2000. It is my judgment there is too little accountability on Wall Street. Some will tell you that corporations and their leaders are accountable because they lose equity and lose value when their stock declines. While true to an extent, individual investors lose too, and collectively far more than corporate executives.

If corporate America wants to improve the environment on Wall Street, then it is time for corporate executives and corporate directors to hold themselves more accountable and demonstrate to the market a zero tolerance for questionable practices and poor judgment. Every investor understands, or should understand, that investing in the market involves risk; but that risk should not be compounded by moral and ethical failure in the corporate office, executive office, or the corporate boardroom.

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

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

SAVE THE CAPITOL'S OLDEST TREE

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

Mr. BASS. Mr. Speaker, I would like to talk for a minute or two about an issue that may not be the most pressing issue before the Nation today, but it is one that is, nonetheless, important for the historical nature of the U.S. Capitol and its grounds.

The gentleman from New Jersey (Mr. FRELINGHUYSEN) and I have been made aware recently that the oldest tree on the Capitol grounds may be cut down on the recommendation of the Architect of the Capitol and his arborist advisers.

Frankly, despite earlier assurances to Congress that many trees planted by Frederick Law Olmsted, one of the Capitol's earliest landscape architects, would be saved, far too many trees have been sacrificed for this new visitor's center.

The oldest tree, which, by the way, is right outside the door here, if you go outside the door and look at about 1 o'clock you will see it there, it was planted by Frederick Law Olmsted, as I said. He was the Capitol's earliest Architect. We were told it would be saved.

Now, this tree is a rare English Elm, reputed to be over 175 years old, and it was never slated in the original plans to be removed. In fact, earlier assessment by a notable national tree company employed by the Architect of the Capitol said that it should be preserved.

Reports now that the tree is ''dangerous'' seem to have little factual foundation, other than a more recent report by the same arborist. Furthermore, other old trees on the Capitol grounds are no more or less dangerous than this elm tree.

I would point out that recently these fences have been built around these trees, and it is impossible for the tree really to be dangerous, unless some kind of typhoon moved through.

Far more alarming to the tree's health is the news that the visitor's center contractor wants to dig a 60 foot hole at the base of the elm along the drip line, to dig a hole for whatever purpose, for a possible staging area for construction, or as part of the new paved area for temporary parking for Members of Congress.

I think this is totally indefensible, the idea we would cut down one of the oldest trees on the Capitol grounds so that Members of Congress can have a temporary parking place while they are building the visitor's center.

I hope my colleagues will join the gentleman from New Jersey (Mr. FRELINGHUYSEN) and me in urging that this tree be saved.

Mr. Speaker, I yield to my friend, the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I want to thank the gentleman from New Hampshire (Mr. BASS) and other Members of the House for their support of protecting this very famous English Elm.

Mr. Speaker, as the House of Representatives works to protect the U.S. Capitol building and all symbols of our democracy, we need to be mindful that such changes must be reasonable and respectful of our history. Our Capitol continues, as it always has been, to be accessible to millions of people who visit each year.

It is estimated that nearly 20,000 visitors up to September 11 entered the building daily, and Congress has addressed the new security and safety demands of this many people visiting, especially during the construction of a new Capitol visitor's center to facilitate their entrance into the Capitol proper.

This center project has already resulted in changes to what Frederick Law Olmsted, the Landscape Architect of the Capitol, a very famous American, envisioned and implemented back

in 1874, where lawns, trees, and shaded walks were first put into his plans. Many trees have already been removed. Some have been saved for the new center.

But I join with the gentleman from New Hampshire (Mr. BASS) and other colleagues to focus our attention in Congress on one particular tree, an English Elm, the oldest tree on Capitol Hill, on this campus, that some here, as the gentleman from New Hampshire (Mr. BASS) has said, would like to cut down to make room for a construction site, for use of the construction materials, or a temporary parking lot for Members of Congress.

This oldest tree, a rare English Elm, is reputed to be over 150 years old. It was never slated to be removed. In fact, an earlier assessment by the Davey Tree Company employed by the Architect of the Capitol said it should be preserved. Reports now that the tree is dangerous seem to have little factual foundation, other than a more recent report by Davey. Furthermore, there are other old trees on the Capitol campus that are no more or less dangerous than this elm.

As the gentleman from New Hampshire (Mr. BASS) has said, there is news that the contractor for the visitor's center would dig a 60-foot hole at the base of the tree. This would virtually kill the tree.

This is a tree that deserves to be preserved and protected. We urge all Members of Congress, Republicans and Democrats and citizens, to urge the Capitol Preservation Committee to direct the Architect of the Capitol to save the tree.

EXCHANGE OF SPECIAL ORDER TIME

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

Ms. ROYBAL-ALLARD. Mr. Speaker, I ask unanimous consent to take the time of the gentlewoman from the District of Columbia.

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

There was no objection.

SALUTING THE NBA CHAMPION LOS ANGELES LAKERS

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

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise to salute the victorious world champion Los Angeles Lakers from my congressional district. It is challenging enough to win the championship title once, and it is extremely rare to repeat and win the title a second time. Nevertheless, the world champion Lakers have in fact three-peated by sweeping our friends, the New Jersey Nets, in the 2002 NBA finals and winning the title for 3 consecutive years.

In all of NBA history, only three teams have achieved this feat, including, of course, the Minneapolis Lakers. I extend my special congratulations to Lakers Coach Phil Jackson and the most valuable player for the third year in a row, Shaquille O'Neill, for their impressive accomplishment.

□ 1500

No one alone can achieve this ''triple crown'' of excellence in basketball. The Los Angeles Lakers' victory was a triple team effort consisting first of the talented players themselves; second, the coach and management staff; and third, the Lakers' fans in Los Angeles and across the Nation.

Today the Lakers' sweet taste of victory brings with it the sweet taste of New Jersey Italian treats: cannoli and biscotti. My colleague, the gentleman from New Jersey (Mr. ROTHMAN), wagered these treats against my Los Angeles wager of tamales, guacamole and salsa. Today he delivered the fruits of the Lakers' victory. I congratulate the Nets, their fans, and their coach, Byron Scott, who, by the way, is a Los Angeles native and former Laker himself, for their valiant effort.

Angelenos, it is time to make room in the rafters of the Los Angeles Staples Center for yet another banner. The Lakers are NBA world champions again.

Mr. Speaker, next year I look forward to cheering for the Lakers to ''four-peat'' or, in the words of Coach Jackson, the ''four-sweep.''

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

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

EXCHANGE OF SPECIAL ORDER TIME

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, I ask unanimous consent to replace the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

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

There was no objection.

PHARMACEUTICAL COMPANIES HONORED GUESTS AT GOP FUND-RAISING EVENT

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

Mr. DEFAZIO. Mr. Speaker, those who are watching might be puzzled, because it does not seem there are too many Members on the floor of the House, and that is because the House has completed its work day. It is about 3 o'clock. Now, why is the House out of session at 3 o'clock when it has yet to do a single appropriations bill, when many other important measures and needs of the American people have yet to be met?

Well, it could be because tonight is the biggest fundraising gala, perhaps the largest single fundraising event in the history of the United States. Downtown, the Republican Party is holding a special fundraising event, and the chair, the fundraising chair of that event is a guy named Robert Ingram.

Why is that relevant? Well, he happens to be the chief operating officer of GlaxoSmithKline, which happens to be the largest drug manufacturing pharmaceutical firm in the world.

Now, why would he give $250,000 and agree to raise millions of other dollars from other pharmaceutical companies who are also contributing: Pfizer, Eli Lilly, Bayer AG, Merck & Company, they are cheapskates, they are only ponying up 50,000 bucks each for a table, but then PhRMA, their organization, is ponying up $250,000.

Now, you have to give it to the Republicans. I mean they, the Republican leadership, either has the most incredible sense of irony and humor, or no shame. Here we are at a time when we are supposedly about to consider legislation to provide or not provide a meaningful prescription drug benefit to seniors in the United States of America, 54 percent of whom pay more than $1,000 a year out of pocket for their drugs; who are charged the highest prices of any customers of the pharmaceutical companies; the uninsured seniors are charged the highest price, prices that exceed those of Canada by 100 percent and other developed nations. Of course, many of those drugs were manufactured in the United States by these very same firms who are throwing this big gala tonight and contributing millions to the Republican Party.

So we have to wonder if there is any connection between the draft of the Republican proposal and the timing of it, because they are considering it right now, and tonight's event.

The Republican proposal is a free market approach. Of course, we have had the free market; it has not been serving our seniors very well, and prescription drug costs have been going up at 2½ times the rate of inflation. Many seniors have to make critical decisions about getting their prescriptions filled. I have actually met seniors, couples who had to decide who was going to get their prescription one month and who was not, even though they are all necessary and prescribed. These are real problems.

The Republicans have decided they cannot ignore this issue anymore, so

they have gone to their sponsors, the pharmaceutical companies, the insurance companies, who say, look, how about we phony up a bill that continues the status quo and we pretend it is a new benefit for seniors, and the pharmaceutical companies love it. That is why they are giving a quarter of a million bucks from this one company and millions in addition to that at tonight's gala.

There is no guaranteed benefit under the Republican plan. Mr. Speaker, $20 billion over 10 years would go to the pharmaceutical companies as an inducement for them to offer free market, private policies. God forbid we should extend Medicare. They do not want to do that. No, they are very worried about that, because they know if we extend a Medicare benefit to the seniors, then we might begin to question the absolutely obscene prices they are charging for some of their drugs and we might even take steps to rein in those costs like Canada, Great Britain, France, Italy, Spain, Mexico. In fact, every other industrialized country on Earth has taken steps to rein in their obscene pharmaceutical charges. No, but not the United States. We are going to take a free market approach. First give them the $20 billion as an incentive to maybe offer a program and under this ''maybe'' program, this is what the Republicans estimate they would provide, a benefit that would total, of the first $1,000 of drug expenses, which is half the seniors in America spend $1,000, they would get a $182 benefit after their premium, their deductibles, and their out-of-pocket costs.

Wow. Wow, $182. Now, that is really going to help out the seniors who are having trouble today meeting these costs. Of course, remember, this is only recommended. It is not required. God forbid we should put a mandate on the insurance companies. No, no, no, no, no requirement. This is just a suggestion, a suggestion, as opposed to a real Medicare benefit that the Democrats are providing as an alternative. The emperor has no clothes here. Have a good fundraising dinner tonight, guys, but I think in the end the champagne you are toasting tonight might taste like vinegar.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds Members to address their remarks to the Chair.

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

JUNETEENTH

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am delighted to be with you here tonight as we gather here in remembrance of a day that has become a symbol of African-American freedom and culture. On June 19, 1865, Union soldiers, led by Maj. Gen. Gordon Granger, landed at Galveston, Texas with news that the war had ended and that the enslaved black Americans were now free. Granger's message came two and a half years after President Lincoln's Emanicipation Proclamation.

Upon his arrival, Granger's first orders of business was to read to the people of Texas, General Order Number 3 which began most significantly with:

> The people of Texas are informed that in accordance with a Proclamation from the Executive of the United States, all slaves are free. This involves an absolute equality of rights and rights of property between former masters and slaves, and the connection heretofore existing between them becomes that between employer and free laborer.

On the evening of June 19, 1865, thousands of African-Americans filled the streets of Galveston, celebrating their newly announced freedom. Throughout the night, the sweet smell of barbecue, combined with the sounds of dancing feet, and harmonic spirituals, permeated the air. For the slaves freed in Galveston and across America, June 19th, would and does forever commemorate African-American freedom.

Juneteenth became an official State holiday through the efforts of Al Edwards, an African-American Texas legislator, making Juneteenth the first emancipation celebration granted official state recognition. Juneteenth celebrates African-American freedom while encouraging self-development and respect for all cultures.

Across the nation and even the world, thousands will participate in activities and events in remembrance of Union soldiers' arrival in Texas. Let us reflect and rejoice on this monumental event in history. Let us come together and join hands across races, nationalities and religions to acknowledge a part of American history that has, does, and will continue to shape our society as we know it today.

African-Americans' history is America's history and the events of 1865 will not be forgotten as the celebration of Juneteenth takes on a more national and even global perspective. For that reason, I am supporting the establishment of a commission to commemorate those enslaved Americans that fought so vigilantly for their freedom. I am also proud to be an original sponsor of a bill that would support the erection of monument honoring African-American slaves.

A day such as Juneteenth enhances the importance of the War on Terrorism and the importance of fighting the evils that threaten human rights and freedoms across the globe. Just as the slaves in Galveston and President Lincoln recognized the value of freedom in 1865, so too, should we realize the importance of remembering that day and taking its lessons with us as we confront the current political climate.

I urge you all here, if you haven't already, please take a moment to reflect on the meaning of this day. Reflect on its meaning for African-Americans, and its meaning for oppressed persons around the globe. Take the opportunity to participate in the various activities and events organized in celebration of Juneteenth, and I urge you to never forget what the day June 19 means to American history.

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

(Ms. BROWN of Florida 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 California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

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

CELEBRATING THE 30TH ANNIVERSARY OF TITLE IX

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentlewoman from Hawaii (Mrs. MINK) is recognized for 60 minutes as the designee of the minority leader.

Mrs. MINK of Hawaii. Mr. Speaker, I am here on the floor today to mark the 30th anniversary of title IX, which was a part of the Education Amendments Act of 1972 signed into law on June 23, 1972, 30 years ago. The few pages of title IX set a policy for the United States in all areas of education: elementary, secondary, higher education, graduate education; a policy that set forth explicitly that no institution should discriminate against girls or women in the courses and programs that they offered at these institutions, if that institution received Federal funds. That was 1972.

Remarkably, in a very short period of time, the institutions across America paid attention to these few words in title IX and we began to see some very remarkable changes in our schools, in the programs that were being offered, the number of women that were enrolled in programs that prior to that, one could rarely ever see women students, especially in graduate programs. And they won fellowships and they had opportunities made available to them that were unheard of before 1972.

A number of Members of the House had indicated to me that they were going to join in this recognition of title IX and the celebration of the 30th anniversary. But because we were called earlier and the program of the House ended at an early hour, many of these Members probably are not here to be a part of it, but I know that they will be including their remarks as part of this celebration today.

Mr. Speaker, I yield to the gentlewoman from California (Ms. ROYBAL-ALLARD).

Ms. ROYBAL-ALLARD. Mr. Speaker, I am delighted to join my colleagues to commemorate title IX's 30th anniversary. First I commend my colleague and friend, the gentlewoman from Hawaii (Mrs. MINK), as well as former Oregon Congresswoman Edith Green for their invaluable contributions and commitment to improving the lives of women in this country. These two incredible women were the guiding spirit behind title IX, the landmark legislation that bans schools from discriminating on the basis of sex in academics and athletics.

Title IX was necessitated by the fact that many of our schools were denying young women the opportunity to develop to their full potential by putting strict limits on their enrollment or by refusing to admit them at all. While the law applies to all education programs and schools receiving Federal aid, it is best known for expanding athletic opportunities for women.

Since title IX's passage in 1971, girls' participation in high school athletics has increased an astonishing 847 percent. As a result, today, one in three girls play varsity sports, compared to only one in 27 in 1972.

The impact on collegiate athletics level has also been incredible. For instance, when title IX was first passed, there were 31,000 women participating in intercollegiate athletics. Today, over 150,000 women compete in college-level sports, an increase of over 400 percent.

Athletic activity has been a key component in helping young girls to develop important skills such as competitiveness, teamwork, and perseverance, qualities that are so critical to succeeding in today's society. As a result, since the passage of title IX, we have seen significant increases in women's educational achievements as well.

For example, in the year 2000, 43 percent of medical degrees were awarded to women, compared to 9 percent in 1972; 46 percent of law degrees were earned by women, compared to 7 percent in 1972; and 44 percent of all doctoral degrees went to American women, up from 25 percent in 1977.

Furthermore, title IX has proven that athletics is also a catalyst for success in the workplace. A recent study entitled ''From the Locker Room to the Board Room: A Survey on Sports and in the Lives of Women Business Executives,'' surveyed America's top business executives and found that more than four out of five executive business women played sports growing up.

Further, the vast majority of these women reported that lessons learned on the playing field have contributed to their success in business.

For instance, of the women who played organized sports after grade school, 86 percent said sports helped them to be more disciplined, 81 percent said sports helped them to function better as part of a team, and 59 percent said sports gave them a competitive edge over others.

Clearly, title IX's influence on the lives of girls and women extends far beyond the playing field. It has provided them with the opportunity to gain so many of the skills that are essential to succeeding in life.

Therefore, on the 30th anniversary of title IX, it gives me great pleasure to recognize the critical role title IX has played in securing women's equality in sports, in academics, in the workplace, and in life.

□ 1515

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentlewoman for her contribution. I lived with title IX every day of my life since 1972; and to understand that it has been 30 years, it is pretty hard to fathom, but I deeply appreciate my colleagues coming to the floor and sharing their own observations about title IX and helping to be a part of this recognition today.

I yield to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I am pleased to join my colleagues who will come and go to talk about title IX today, but I am particularly honored to join with the gentlewoman from Hawaii (Mrs. MINK), the author of title IX, on the 30th anniversary of this great program that would not have happened without her. I thank my friend from Hawaii also for organizing this trip tonight.

When most people think of title IX, they think of women's sports; and the impact of title IX on women's sports can clearly be seen all over the Nation. Title IX has increased numbers of girls and women who participate in sports in high school and in college. Title IX has contributed to the impressive achievements of American female athletes at the Olympic Games, and we can see the impact of title IX when we watch professional women's basketball and soccer teams on television and on the field.

Title IX is an important player on every woman's sports team, but title IX has another important role to play and that is in the classroom, particularly in vocational and technical education classes. Last week The Washington Post and other newspapers reported on a survey that the National Women's Law Center did on vocational and technical education programs in America. The results of the survey reveal that pervasive sex segregation in vocational and technical education programs all around the country still exist. That is bad news. The survey found that girls are still clustered in classes which lead to traditionally female jobs such as cosmetology, child care, health or fashion technology. On the other hand, classes in carpentry, electronics, and automotive programs were 85 percent male.

There is a reason why the results of this survey made the newspaper. It is newsworthy because women make up close to half of the American workforce and many of these working women are supporting families and many of these working women are single moms supporting families. Sixty-six percent of mothers with children under age 6 are working outside the home. Seventy-seven percent of mothers of school-age children have jobs. Most families today, whether they have two parents or a single parent, rely on a woman's income; but that income will be considerably less if the woman is earning a median hourly wage of $8.49 an hour as opposed to working as a plumber who can earn an hourly wage of $30.06.

While the survey reported in the newspapers collected its data from high schools, the problem does not stop in high school. A report from the National Center for Education Statistics in the Department of Education entitled ''Vocational Education in the United States Toward the Year 2000'' shows that in associate degree programs at the postsecondary level, women are almost four times as likely as men to major in health fields and office fields. In contrast, the male students in postsecondary vocational education programs are five times more likely than women to major in technical education and 14 times more likely, 14 times more likely to major in trade and industry programs.

Thank goodness we have title IX to address the inequities like this. The National Women's Law Center has filed legal petitions in all 12 regions of the Department of Education's Office of Civil Rights, requesting investigations into whether vocational and technical high schools and classes violate title IX. They are also asking that action be taken to remedy all conduct that does not comply with title IX law.

As we move into the 21st century with employers demanding more high-skilled and better-educated workers and more families relying on a woman's income, it is a moral crime to ignore the evidence of stark and ongoing sex segregation in vocational and technical education programs. Title IX makes it a legal crime, and gives us the tools we need to right this wrong.

Happy anniversary, title IX. Much has been accomplished in 30 years, and much is left undone.

I look forward to working with my colleague, the gentlewoman from Hawaii (Mrs. MINK) in making some of these things right.

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentlewoman for her contributions. Certainly the challenges she has laid before the House and before this Nation need to be heeded.

I am delighted now to yield to my colleague, the gentlewoman from California (Mrs. Davis), who is also on the Committee on Education and the Workforce.

Mrs. DAVIS of California. Mr. Speaker, Friday morning, many Americans will be getting up early to root for the U.S. Men's Soccer Team, which quite unexpectedly has reached the final eight in the World Cup soccer competition. This is the best men's effort in more than 70 years.

But who can forget the thrilling matches and win of the U.S. Women's Soccer Team in the 2000 World Cup? We all have visions of the celebratory leaps of joy and the news magazine cover pictures that followed. While the women's success preceded the men's current victories, who can question that this prominence would never have happened in a women's sport had it not been for the passage of title IX, the tradition-breaking measure that said women deserve an equal opportunity to excel according to their talents, not their opportunity?

I am honored to speak in celebration of this 30th anniversary of title IX to the education amendments of 1972 at this podium following the distinguished gentlewoman from Hawaii (Mrs. MINK), who has been a champion of the implementation of title IX for many years, monitoring, nurturing, and nudging its realization.

Sports have grabbed the headlines as the comparison of women's opportunity with men's. Indeed, for women who graduated from college before 1972, we know full well how little girls were encouraged to succeed at male endeavors, not only in sports but in math and science, politics and economics, medicine and the law.

We can see the impact, not only of increased opportunity because of this legislation, but also of the example of those pioneering women in space, in the Supreme Court, increasingly as CEOs of major companies, and yes, as Members of Congress who serve as role models for the expectations of young women today.

But we cannot be proud. Career education received a grade of D on the report card on gender equity reported by the National Coalition for Women and Girls in Education. We must multiply our efforts to assure that girls have the same educational opportunities, and thus career opportunities, as boys.

As Members of Congress, we must reach out to young women's groups, and to those women who have tested the campaign waters to run for school boards, for city councils and county boards of supervisors; and we must mentor and encourage them to aspire to all seats in government.

In the California Assembly, I experienced the great difference it made to agendas, to leadership positions, and the style of politics when women became 25 percent of our body. I can only imagine what it would feel like here in the House of Representatives if there were 109 women out of 435, instead of 59. How important it would be to the national agenda if the Senate had moved not from nine and counting to 13 in the last election, but to 25. What if women were represented by their proportion of the population? What if there were more women Governors, and yes, candidates for President and Vice President?

Title IX has changed our culture in many ways in these 30 years. The women of America must move forward together to assure even greater results in the next 30.

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentlewoman from California for coming to the floor and sharing with us all of her challenges and contributions.

Mr. Speaker, next I yield to the distinguished gentleman from Illinois (Mr. DAVIS), who has joined us here today to participate in this 30th anniversary celebration of title IX.

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentlewoman from Hawaii for yielding to me, but also for bringing to light and sharing with all of America the importance of this 30th year anniversary.

I happen to be one who believes that there ought to be absolute equality in all endeavors in all walks of life. I am amazed, as a matter of fact, sometimes when I recall even the Preamble to our Constitution, when we say, ''We hold these truths to be self-evident, that all men are created equal,'' and at the same time, we left out women. Some people would suggest that when they said ''men'' they meant women as well, but I am not always sure of that.

As a matter of fact, we can look at what the experiences have been, that even today women, for the same work, with the same training, earn less than 75 percent of what men earn for doing the same work with the same training, the same experiences.

America is a great Nation. We have made lots of progress and we have come a long way, but we still have much further to go. I do not think we will ever get where we need to be unless we reinforce all of those processes that we have used to get us where we are.

I want to commend the gentlewoman from Hawaii (Mrs. MINK) and congratulate and all of my colleagues who take the floor and talk about this achievement, and also let us know that we have to keep going, because if we do not, we can always slip back.

So I commend the gentlewoman and join with her and all of my colleagues in expressing appreciation for the enactment of title IX. Of course, we have to keep it alive; we have to make sure that it is well; and we have to keep working so that there is in fact equality across the board without regard to race, gender, ethnicity, or any other form of origin.

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentleman for taking the time to come and be part of this recognition. It is so important to recognize that in the 30 years much has been accomplished, but we still need to do much, much more in order to achieve that equality for girls and women in our society.

Mr. Speaker, I am especially pleased now to yield to the gentlewoman from California (Ms. WATERS), who is here to join us in this hour of recognition for title IX.

Ms. WATERS. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, I am pleased to be here with my colleague, the gentlewoman from Hawaii (Mrs. MINK), in order to celebrate the 30-year anniversary of title IX. I would like to take this moment to thank her for her leadership, for what she has done for girls and women in this country.

This month, we celebrate the 30th anniversary of the passage of title IX of the education amendments of 1972. The achievements we have made since then are impressive and worth celebrating. The percentage of bachelor's degrees awarded to women has increased from 44 percent in 1971–1972 to 56 percent in 1997 and 1998. The percentage of doctorates awarded to women has increased by nearly 30 percent, from 16 percent in 1971–1972 to 42 percent in 1997–1998.

Women and girls have made strides in athletics, also. In 1971, girls comprised a mere 7 percent of high school varsity athletes. Last year, the figure had increased by 847 percent, to 41.5 percent of all athletes.

At the college level, the change is also very dramatic. There was a 403 percent increase between 1971 and 2001 in the participation of women in intercollegiate sports, from 2 percent in 1971 to 43 percent just last year.

□ 1530

Meanwhile, men's participation levels at both the high school and the college level have also increased, contrary to reports that imply the gains for women have come at the cost of losses for men.

Improvements have also been made within the government. Until recently, only four Federal agencies had complied with the requirement that they issue rules regarding title IX. However, in August 2000 the Department of Justice issued final regulations for 20 Federal agencies. These new regulations provide Federal executive branch agencies with the means to enforce title IX's prohibition against sex discrimination.

Unfortunately, not enough has changed. There are continued efforts to diminish the gains women and girls have made under title IX. For example, critics of title IX argue that colleges and universities have been forced to eliminate men's teams in order to fund women's teams. This ignores the fact that women's teams have been cut, too, as needed by school budgets, et cetera.

The argument also dismisses the fact that in 1999, for example, men's sports and intercollegiate athletics received greater funding across the board. Disparities existed for scholarships, recruiting, head coach salaries and operating expenses. In some categories, the funding for men was twice that of women.

Other efforts to dismantle title IX include funding cuts and a rise in lawsuits, seeking to roll back title IX protections. Recently, the National Wrestling Coaches Association and other groups filed suit to challenge the United States Department of Education's interpretations of title IX.

While I applaud President Bush's call to seek dismissal of this suit, I am dismayed that the President has not been supportive of title IX in other ways.

For example, President Bush's 2003 budget allocates no funding to the Women's Educational Equity Act, which is the only Federal program specifically focused on increasing educational opportunities for females. In addition, the Republican presidential agenda for the 2000 election included attacks on title IX and gender equity, and while women and girls have gained a great deal since 1972, there are still gaps in every area.

Wage parity has not been achieved. The average salary for women professors in 1971 was $11,649, only 91 percent of women's average of earnings at that time of $12,768. Thirty years later, the average salary for women full professors had fallen to a mere 88 percent of men's earnings. Women associates and assistant professors earned only 92 percent of what their male counterparts earned. These salary gaps exist for teachers and principals in elementary and secondary education as well.

Women continue to lag in educational degrees received. We are underrepresented in traditionally male fields such as math and science, ones that have greater earning potential. For example, women earn only 39 percent of physical science degrees, 27 percent of computers and information sciences degrees and 18 percent of engineering degrees. This disparity is even greater in doctoral degree programs. There, women received only 26 percent of doctorate degrees in mathematics, 16 percent in computers and information sciences, and 12 percent in engineering-related technologies. Not only does this negatively affect the women themselves, but also it creates a void for young girls who need role models in these fields.

Females are also underrepresented in athletics. We are drastically underrepresented in coaching positions and as athletic directors. Even head coaches of women's teams are filled by males more often than by females, in Division I, II and III schools. Girls still have 30 percent fewer opportunities to participate in high school and college sports than boys. When viewed in light of all of the positive attributes of physical activity, including psychological, sociological and physical benefits, this lack of opportunity is troubling.

As we stand here today, we can be pleased and proud of the progress that has been made in attaining gender equity in education, employment and athletics, but we must not forget that the journey certainly continues and that we must persevere in seeking equal opportunities for all women and girls.

Again, Mr. Speaker, I would like to close by saying that it is often said that one person cannot really make a difference, that unless we have millions upon millions of people moving perhaps at the same time, nothing is going to change, but I am standing here looking at one woman, the gentlewoman from Hawaii (Mrs. MINK). Long before I came to the Congress of the United States, I was working with the gentlewoman, and I know about her efforts at that time, and if it had not been for the gentlewoman from Hawaii (Mrs. MINK), we would not have the progress that we have today with title IX.

So in addition to celebrating this anniversary, I stand here to commend my colleague and my friend, the gentlewoman from Hawaii (Mrs. MINK), for being the leader in this area.

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentlewoman so much. I really appreciate her tribute and kind words, recalling our work together and the tremendous difference that an individual and a commitment to a cause can make and change the whole of society.

I heard a commentator the other day on a talk show say that next to the civil rights, title IX has probably made the most difference in this country in opening up opportunities, and I certainly have to agree that a small effort, a deep commitment, and the consensus of this House in going along and enacting this title IX has made it a tremendous difference for the girls and women in our society.

It gives me great pleasure to yield time to the gentlewoman from California (Ms. MILLENDER-MCDONALD), chair of the Women's Caucus on the Democratic side. We call her our chair, but she is the cochair for the entire House Women's Caucus.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I thank the gentlewoman so much, and I join the voices here today in thanking a woman of great leadership, great tenacity and great stride in furthering the cause of our girls, our daughters, and our granddaughters, and our nieces to seek opportunities no matter where they want to seek those.

As a former director of gender equity, I never thought that I would be on the floor of Congress talking about the need to further opportunities for girls. I thought in this year of 2002 this would all be behind us. Thanks to our dear friend and congresswoman, the gentlewoman from Hawaii (Mrs. MINK), she keeps this front and center.

Mr. Speaker, today I want to applaud her and the success of title IX in opening doors of opportunities for women and girls of all ethnic groups in this country over the past 30 years. However, there, despite the gains made by title IX, we still need to ensure that the promises of equal access to education and advancement in the workplace remain a reality for all women, particularly women of color.

I have researched this issue more carefully, and as I have researched this issue more carefully and more thoroughly, I am concerned that since 1996 Congress has eliminated funding under title V of the Civil Rights Act of 1964 for programs that once supported title IX and gender equity services in 49 States and their educational agencies.

About half of the States lack a dedicated employee to monitor compliance with title IX, as required, and the 10 federally funded Equity Assistance Centers have not received a funding increase in 5 years.

The Women's Educational Equity Act, the Federal Government's only program focused on creating education opportunities for girls and women, was overlooked in this President's fiscal year 2003 budget. If we are going to speak loudly and speak with a volume about our girls and giving them the opportunity, we certainly cannot overlook them in the President's budget that has been to date.

In 2001, the Supreme Court ruled that individuals cannot file lawsuits under title IX alleging retaliation.

There is clearly still a need to better educate the public about title IX and to chip away at the discrimination that impacts girls and women in education and in the workplace. We must remove any and all barriers that prevent women and girls from living up to their full potential.

The truth is, girls and women are woefully underrepresented in the critical areas of technology, and the digital divide is a glaring example of this underrepresentation.

There are glaring places in standardized testing across all races and ethnicities, therefore limiting women's access to higher education institutions, financial aid and career opportunities.

Women's employment opportunities at colleges and universities declined as the prestige of the institution increased and increases.

Women earn fewer doctoral and professional degrees than men do.

Sexual harassment is an ongoing deterrent to equal opportunity for women students, and gender bias is pervasive on many campuses. Ask our daughters, ask our sisters, ask our nieces. They are still plagued with this type of discrimination.

Female students of color, those who are disabled, and girls from poor families are all faced with special challenges that have not yet been fully addressed. We must do more to enable our girls to grow up to become more empowered women.

We know that women comprise almost 60 percent of part-time students and 58 percent of students ages 24 and older.

Women attending a post-secondary institution are twice as likely as their male counterpart to have dependents and three times as likely to be single parents.

Financial aid budgets offer little allowance for dependent care, making many student parents reliant on friends and family and causing them to drop courses or to leave school altogether.

From 1999 to the year 2000, the National Collegiate Athletic Association, NCAA, found that women athletes get

only 40 percent of scholarship funds in some athletic divisions, though this figure is an increase over the past 9 years. We are addressing that issue right now.

Another area of education where women are lagging behind men is in the education profession. When we look at elementary and secondary schools, fewer than 35 percent of principals are women, and only 21 percent of full professors are women, and a mere 19 percent of women head up our colleges and universities. Do they not recognize that there are more women in this world than men? Do they not recognize that women are making up the majority of votes in every congressional district in this country? Women must be represented more fully. The numbers are no better at elite institutions where women make up only 22.6 percent of all the faculty. This is another issue we are addressing.

We have got to do more to encourage our girls to consider well-paying careers in nontraditional fields that will broaden their career options and earning potentiality. Too many of our girls choose fields like cosmetology where the average hourly wage is $8.49, and it is amazing to me. There is nothing wrong with that, but when men get into cosmetology, they rise to the really great presence. They then do the big stars' hair and all the others, and they become an institution in and of themselves, while the women are still in these low wage jobs.

Look at child care, where pay is about $7.43 an hour, as opposed to becoming plumbers, electricians or mechanical drafters who earn about $20 per hour.

If we want our girls to flourish and grow into self-sufficient women, then we must knock down the barriers to their success in the classroom, whether they choose to work in technology, the trades, or pursue professional endeavors.

My granddaughters Ayanna, Ramia and Blair want to play football, and I have encouraged them to go for it, and I have even said if they wanted to be the quarterback. We have got to encourage our girls to find those nontraditional careers where they are making much better earnings than that of the old traditional careers that women have fallen into. We must do that as women become a larger segment of this population of this country.

□ 1545

So on this, the 30th anniversary of title IX, we salute our dear friend and colleague, the gentlewoman from Hawaii (Mrs. MINK). We tell her that we celebrate with her on this endeavor, 30 years of advancing women and girls; that we should celebrate how far we have come and how far we have to go, but we must also be mindful of the distance we still need to travel to ensure optimal educational and vocational opportunities for all of our young women and girls. We can do better than this. We must do better than this. We, as the women of the House, will do better than this.

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentlewoman for her contributions to this celebration, and I appreciate all of her comments. We do have challenges ahead, and I hope the House will rise to the occasion.

Mr. Speaker, it is now my privilege to yield to the gentlewoman from Missouri (Ms. MCCARTHY).

(Ms. MCCARTHY of Missouri asked and was given permission to revise and extend her remarks.)

Ms. MCCARTHY of Missouri. Mr. Speaker, I thank the gracious gentlewoman from Hawaii for this opportunity to join with her today as we are commemorating the 30th anniversary of the passage of title IX of the education amendments of 1972.

This title has been instrumental in prohibiting discrimination on the basis of sex in educational programs and sports activities that receive Federal funding. This law applies to admissions, recruitment, financial aid, academic programs, grading, vocational education, recreation, physical education, employment, athletics, and much more. This title continues to present many opportunities for girls to acquire new skills, friendships and make their dreams a reality.

Before title IX, many schools saw no problem in maintaining strict limits on the admission of women or simply refusing to admit them at all. Since the passage of title IX, this has changed dramatically. In 1994, women received 38 percent of medical degrees, 43 percent of law degrees, and 44 percent of all doctoral degrees. In 1972, women received only 9 percent of medical degrees, only 7 percent of law degrees, and a mere 25 percent of doctoral degrees.

Title IX has provided unprecedented opportunities for young women interested in pursuing a competitive athletic career. The U.S. Women's Soccer team won the World Cup victory in 1991 against Norway and again in 1999 against China, and this was possible because title IX funds were available to the young women earlier in their lives.

I had the opportunity to share a remarkable experience with the team. I was able to attend Eileen Collins' launch of a NASA space shuttle with the soccer team, then First Lady Hillary Clinton, and many other supporters of title IX. This was the first time a woman commanded a NASA shuttle. It was a spectacular event that symbolized the accomplishments of the act. Commander Collins and members of the soccer team continue to inspire younger women to follow their own dreams.

Younger women are now aggressively entering many fields with more confidence and assurance because of the positive impact of models such as these and the availability of title IX funds. In my district, title IX has allowed many young women to enter and excel in sports. Independence's Fort Osage High School's Dana Rohr was awarded a $2,000 scholarship for her academic work and participation in sports. Angela Goodson of Blue Springs South High School won the Missouri State Girls title in swimming. Liz Pierson of Lee's Summit North won six goals and three assists for her soccer team, which finished second in Missouri. Janiece Gatson, a junior in Grandview, won fifth place at the Missouri 4A State meet for running 400 meters in 57.3 seconds. Saint Theresa's, an all girls' school in my district, became the first non-St. Louis team to win a Missouri 1A–3A soccer girls title with a 6–2 victory this past Saturday.

Thanks to title IX, more and more young women are being recognized and encouraged for their scholarly and athletic work. Since 1971, women's participation in sports has markedly increased, with more than 135,000 women presently competing in intercollegiate sports. Women currently constitute nearly 40 percent of all college athletes, compared with only 15 percent in 1972.

Recent data show that approximately 2.6 million high school girls participate in a wide selection of high school sports, representing nearly 40 percent of all high school athletes. In 1971, only 7.5 percent of high school athletes were female.

Female participation in sports, like receiving a college education, has had an unexpected benefit for women. Studies have shown that values learned from sports participation, such as teamwork, leadership, discipline, and pride in accomplishment, are important attributes as women increase their participation in this workforce as well as their entry into business management and ownership positions.

My love of sports throughout my schooling gave me confidence and a sense of accomplishment. The friendships I made with teammates and the memories we share keep us in contact in our adult lives. My experience in sports enabled me to attain leadership and professional skills and gave me the confidence that helped shape my career.

Thirty years after the passage of title IX, we recognize and celebrate the profound changes this legislation has helped to bring about in America and the resulting improvements in educational and related job opportunities for millions of Americans. More and more women are entering and graduating from college and graduate school, more women are entering and excelling in sports activities, and more women are entering the corporate world and holding management positions.

I thank the gentlewoman from Hawaii (Mrs. MINK) for her leadership in enacting title IX. Thanks to her courage and her persistence, the country is better because more women are able to achieve their full potential. I am

pleased to join with her and my colleagues today in celebrating the 30th anniversary of title IX and promise to work with them to uphold and enforce this legislation in order to ensure equal opportunity for all Americans.

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentlewoman for her contributions towards the recognition of title IX and the 30th anniversary. Her thoughts and expressions about what has happened, what it has meant to the country, and what is still yet to do, I hope, is the challenge of today's event. I thank her very, very much for coming.

Mr. Speaker, there are many others who wanted to be here, but because of the advance of the time that we had informed the offices that they would be heard, many are not here. But I wanted to say that the most important message that I believe we all want to say in the 30th anniversary of title IX is that while we can give the impact of what title IX has meant to this country up to now, we who have lived all of the problems and difficulties of the last 30 years can easily understand and appreciate the importance of this legislation but are concerned that the young people coming up still in schools, elementary, secondary school, perhaps some even in college, do not quite understand the importance of this legislation.

Those that are participating in athletics, in soccer, basketball, whatever, probably assume this is the way it always was and that opportunities for girls and women were always assured under our democracy, under our Constitution, under our concepts of the 14th amendment, 15th amendment, and so forth. There is not a perception out there among young people that this ability that they have to participate in this way could be challenged. In point of fact, it is being challenged, as some of the speakers have said today.

There is a lawsuit that has been filed by the wrestlers association and some others challenging the rules and regulations that were put in place by the Department of Education to implement the law. They are saying that the rules and regulations have been implemented and applied so as to discriminate against men's teams. They refer to them as the minor teams, such as wrestling and so forth; and they allege that the regulations have caused the institutions to eliminate many of these men's sports on college campuses.

I am pleased that the administration chose to respond to this lawsuit by arguing that it is not the obligation of the Federal Government; that none of the allegations that were made in the litigation are true. And that if, indeed, men's teams were eliminated, it was the responsibility of the individual universities and institutions to justify why they did it.

There are many reports to indicate why this happened, and that is because the big sports at these universities, the football and the basketball and baseball, and so forth, have consumed the revenues and the attention of the administration. And because they are reserving huge blocks of manpower and money and resources to their high visibility, high revenue sports, some of these sports activities have had to go.

So I think it is time for the institutions and the universities to take a look at this problem and try to respond to these groups, such as the wrestlers, and explain to them that it is not because title IX is so effective, and that the women are participating and that the universities have an obligation to offer these opportunities to women, that have forced some of these men's sports to go by the wayside.

So we are constantly under challenge and under scrutiny, and it is not time for us to rest on our laurels and to simply exclaim the wonders of this legislation and how it has transformed our society. I call upon the House and every Member here to be vigilant and to recognize that this is an important law which was put into effect, and that we have to make sure that it continues to abide as the principle of this country and enables our young generations coming forward to enjoy the fruits of this legislation.

I am pleased now to yield to a distinguished colleague, the gentleman from Maryland (Mr. HOYER), for such comments as he may wish to make.

Mr. HOYER. Mr. Speaker, I thank my friend, the gentlewoman from Hawaii, who is one of the senior Members of this House and who has seen, I think, over time, the development of title IX, the enactment of title IX, and the impact that title IX has had.

I certainly associate myself with her remarks, that while we are obviously pleased at the progress that has been made, we ought not to believe that everything that can be done or should be done has been done.

Mr. Speaker, this month, as we have said, marks the 30th anniversary of title IX of the Education Act Amendments of 1972. This legislation prohibits sex discrimination in educational institutions that receive Federal funds. It has been instrumental, in my opinion, in helping women get into educational programs where they had previously been underrepresented, such as the math and sciences. It has helped to encourage women to break job barriers and obtain careers, such as engineers, doctors and mathematicians, which in turn has diversified our workforce and infused our society with an energy and potential that had not been tapped for centuries.

It is really incredible, when we think of this country and we think of how we excluded on the basis of gender so many talented people. I am the father of three daughters. I have one grandson, but I have three daughters. And the concept that these incredibly talented, energetic people would have been excluded based upon their gender is despicable. We have come a long way in this country not only on gender but on race, ethnicity, and national origin. Title IX was a tremendous contributor to that progress.

Perhaps the biggest achievement of title IX is the fact that it has leveled the playing field for men and women in sports. It mandates equal treatment for playing opportunities, access to athletic scholarships, equipment, facilities, and coaching. The numbers paint a powerful portrait. In the 30 years since title IX, the number of girls participating in high school sports has skyrocketed from 200,000 to almost 3 million, an 800 percent-plus increase. At the intercollegiate level, the number of participants is five times greater than before title IX was enacted.

The best athletic team that we had participate in the Summer Olympics in Rome was the girls softball team. Those young women were the best in the world. Watching women's basketball now, and the Mystics are doing very well, as the gentlewoman may know, in Washington. I think we have won six or seven straight, the best start we have had in the Women's Professional Basketball Association. I am old enough, I hate to admit, to remember the women's basketball game when there were three full courts and three back courts, as if women could not run from one end of the court to the other end of the court. It was one of the dullest games I have ever seen. And not only was it dull for the spectators, it was dull for the players. Now, of course, we see the incredible athleticism the women display in playing basketball, clearly, frankly, as good as the men. The difference being the men are bigger and, therefore, with a 10-foot basket, have an advantage.

But what an appropriate thing it was to say we are going to treat people based upon, as Martin Luther King said, the content of their character or the abilities that they have.

□ 1600

We said that in the Disabilities Act. We said it in title IX, how important it is for us to continually emphasize it is what people can do that we need to focus on, not their gender or race or disability, not some arbitrary and mostly capricious distinction that we draw.

Clearly, the dated stereotype that women are not interested in athletics has been shattered as the door of opportunity continues to open.

Just think of Venus and Serena, two extraordinary sisters, the two best tennis players in the world, the Williams sisters. Clearly there is not a man on this floor, period, that would want to play them with any consequence to losing because we clearly would lose badly.

Title IX has allowed the desires and passions of millions of women to be realized. They participate in sports. They enjoy sports. They succeed in competitive sports.

My oldest daughter played 4 years of varsity basketball in high school in the

Catholic Girls League here in Washington, D.C., which is an extraordinarily good league.

Competitive athletics have increased the academic success of young women and make it less likely that they will become involved with alcohol and drug abuse. The emotional and physical benefits women and girls gain from participation are invaluable. We know that physical participation is important, not only for your physical but also your mental capacities.

At a time when many young women become critical of their appearance and grapple with eating disorders and low self-esteem, sports helps young women develop confidence and a positive body image. In the long term, athletic activities decrease a woman's chance of developing heart disease and breast cancer. So it is truly extraordinarily helpful.

Mia Hamm, and what an extraordinary athlete she is, the captain of the U.S. soccer team, which won the 1999 Women's World Cup, once stated, ''What I love about soccer is the way it makes me feel about myself. It makes me feel that I can contribute.'' She is part of the daughters of title IX who have paved a path for millions of female athletes to follow. Her statement hits the nail right on the head, as it highlights the self-confidence and teamwork skills sports helped to develop and define.

Title IX is, of course, not without its critics, but I think for the most part they are misguided. They blame title IX for eliminating some men's minor sports, but the reality is title IX provides institutions with the flexibility to determine how to provide equity for their students.

A March 2001 GAO study found that 72 percent of colleges and universities that added women's teams did so without cutting any men's teams. In fact, men's overall intercollegiate athletic participation has risen since the passage of title IX. This truly was a win/win situation for men as well as and particularly for women.

Part of the problem lies with the larger of the men's sports, such as football and basketball, which consume a majority of men's total athletic budget. The complaint to be brought against title IX is that it does not go far enough, that the advancement for women in education and athletics, no matter how positive, must go further.

As part of today's celebration of title IX, I would like to recognize Dr. Deborah A. Yow, the athletic director for the University of Maryland. I have told this story before, and I am not sure if the gentlewoman from Hawaii (Mrs. MINK) or the gentlewoman from California (Ms. LOFGREN) have heard this story. The gentleman from North Carolina (Mr. COBLE) is a crusty, conservative Member of the House of Representatives; a wonderful human being, a good-hearted human being, but not one that I perceive in the forefront of feminism in America, and I say that affectionately.

He knows full well that I am closely associated with the University of Maryland. He came up and said, you know what, you have got a woman you ought to hire at the University of Maryland. She is a friend of mine, Deborah Yow, and is under consideration to be the athletic director at the University of Maryland.

Now, at that point in time there were no women athletic directors at the level 1–A schools. But the fact that the gentleman from North Carolina (Mr. COBLE) came up to me and said Deborah Yow could do that job, I went back to my office and picked up the phone and called the then-president of the University of Maryland, who is now our new chancellor of our system, and told him, Britt, I have just talked to a person, this Deborah Yow must be extraordinary. Shortly thereafter, Deborah Yow was hired. She is now the athletic director, and of course we finished 10–1 in football and won the national basketball championship, under a woman athletic director. Those were men's teams; and we have won numerous championships in lacrosse and field hockey for our women's teams.

Her sister is a major athletic leader in our country as well. Her outstanding career achievements serve to exemplify the important contributions made by women in the athletic arena, as well as to our entire society.

In a male-dominated profession, 91.6 percent of athletic directors in Division I universities being men, Debbie has not only met the challenges of her profession, but she has raised the bar for all. Under Debbie's leadership, the Terrapins ranked nationally as one of the top 20 athletic programs in the country, according to U.S. News and World Report. The University of Maryland under her leadership has established an incredibly strong athletic program with exemplary student athletes, coaches and administrators.

Mr. Speaker, in closing, let me thank the gentlewoman from Hawaii (Mrs. MINK) for focusing on this historic event. In 1972, when the Congress and the country said we are going to make sure that everybody, irrespective of gender, can participate equally and achieve to the extent of their character and their ability, we made a statement and adopted a policy that has made America a better country.

Mrs. MINK of Hawaii. Mr. Speaker, reclaiming my time, I thank the gentleman from Maryland (Mr. HOYER) for his contributions.

REQUEST FOR ADDITIONAL TIME

Mrs. MINK of Hawaii. Mr. Speaker, I ask unanimous consent for 5 additional minutes.

The SPEAKER pro tempore (Mr. KENNEDY of Minnesota). The Chair may not entertain that request. Another Member may separately request time to address the House.

TITLE IX CELEBRATION

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

Ms. LOFGREN. Mr. Speaker, title IX was passed by the U.S. Congress on June 23, 1972, and signed by President Nixon on July 1, 1972. This important civil rights law prohibits discrimination in education programs and activities receiving Federal funds. And as we pause to celebrate the 30th anniversary of this landmark legislation, we can easily see how the law has allowed women and girls increased opportunity to participate in athletics.

What I think has been overlooked by some is how this law has also spurred great improvements for women in the areas of access to higher education, job training, career opportunities, and math and science skills. America has focused more attention on the issues of sexual harassment and created better learning environments for women because of title IX.

I remember before the passage of title IX, schools and universities often had separate entrances for male and female students. Women seeking admission to many colleges and universities were forced to have both higher test scores and better grades than their male counterparts just to get in because there were limits on how many women were allowed, and the chances of women being admitted to medical school or law school were slim because in many cases the female students were limited to less than 15. Those who were lucky enough to get into college found themselves with curfews. I remember mine was 10 p.m., one had to be into the dorm by 10 p.m. So, so much for cramming for tomorrow's exam in the library along with male students.

Women applying for doctoral programs had explained how they would combine a career and family, but of course that question was not asked of their male counterparts, and oftentimes men were given preferences on scholarships and women were not.

Before title IX, girls were just 1 percent of all high school athletes, and athletic scholarships accordingly were almost nonexistent. So as a result, athletic scholarships were just not available.

Title IX has expanded opportunities for girls and women to pursue career education. Many of these careers were off limits before 1972, and when school segregated vocational education by sex, and I recall that the girls all took home ec and I learned how to sew, actually I already knew how to sew, but the boys took vocational ed that could lead to really good-paying jobs, and that day is now over as well.

After 30 years, women in educational institutions have made progress. Before title IX, women often lacked tenure in colleges and universities. They were promoted at a slower rate than their male colleagues. Fewer women were employed as administrators. And that has now changed as well, and it was part of the wave of change that title IX helped bring.

One of the most significant breakthroughs that title IX has made possible is how the many barriers in nontraditional fields such as math and science have been shattered, and I cannot emphasize the importance for America of that. I recall looking for employment for the first time in the want ads and they were segregated into men wanted, married women wanted, single women wanted. That day is over in part because of title IX, and I think we can celebrate the changes that we have made and look forward to the additional changes to come.

And I thank the gentlewoman from Hawaii (Mrs. MINK) for organizing the testimony tonight, and I yield to her with gratitude for her leadership in this issue.

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentlewoman for yielding to me and for coming to participate in this recognition of the importance of title IX to the lives of everyone, not just the girls and women in our society.

Mr. Speaker, in closing, I want to say I have a very personal connection with title IX because while I was wanting to go to medical school in my time and I had written to a dozen or more medical schools to seek entry, each one of them turned me down by saying that they did not admit women to their schools. It came to me as quite a shock that in America it was not a person's grade, aptitude, tests, recommendations that got the person into the careers of their choice, but that it had to do with one's gender. So it appalled me. I did not know whether to resign myself to that situation or not. I had finished college. I did not have a place to go, had no real insights as to what I was going to do with the rest of my life.

I got a job at an art academy as assistant director, and the director said to me, do not give up, there is something there you can go to. So this is how I came to title IX. I was determined that no other young woman in this country should ever have to endure the kinds of frustrations and injustice that I had to face while I was trying to find my place in this great democracy.

So, Mr. Speaker, I thank everyone for participating and hope that all who have had the opportunity to listen tonight will be sparked to spread the word around America that title IX is still alive and well.

MARKING 30TH ANNIVERSARY OF TITLE IX

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

Mrs. JONES of Ohio. Mr. Speaker, unfortunately I missed the opportunity this afternoon to speak with my colleagues with regard to the celebration of title IX, its 30-year anniversary. I am pleased to stand in support of such a wonderful piece of legislation that gave young women all across this country an opportunity to step up, step out and be a part of a team and have the encouragement to win.

I am particularly very proud that in the city of Cleveland we have already hosted the NCAA women's volleyball championships and I am going to be chairing the NCAA women's basketball Final Four Championships in Cleveland in 2007. In addition, in 2004 in the city of Cleveland, we will be hosting the international children's games. This will be the first time these games will be hosted in the United States, and I am pleased to have an opportunity to host them right in the city of Cleveland.

We have learned over the years that having the opportunity to participate in sports has been a way that young men and young women have an opportunity to learn how to compete, what team building means, what it means to be a part of a group, what it means to win, what it means to cheer, what it means to be disciplined, what it means to have a chance to work out and then show what workout does once you have an opportunity to work with your team.

Mr. Speaker, I am so pleased to have an opportunity to congratulate the gentlewoman from Hawaii (Mrs. MINK) as she celebrates with all of her colleagues and this Congress as we celebrate title IX.

Mr. FARR of California. Mr. Speaker, thirty years ago, Title IX of the Education Amendments was enacted. This legislation represents the very best of what we come here to do.

I am proud of Title IX. I am proud of Title VI of the Civil Rights Act of 1964, on which it was modeled. I am proud of the legislation which followed: Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Title II of the Americans with Disabilities Act of 1990.

I am proud every time our federal government reaffirms its commitment to the offer extended to us and to every one of our constituents. It invites us to come to it for assistance, for the education of our children, for the healthcare for our families, for the financial security of our parents, for the clean air and water for us all, or to simply come, participate as a citizen of this nation, and when we come to it, we know that our gender, our race, our religion, and our beliefs will not affect the treatment we receive. We are equal; we will enjoy equity.

There have been times in our history when our government has put forth a lesser offer, or an offer not extended to all. There have been times when the offer was made only after fierce debates by this body. As we do not all agree now, we did not all agree at those times. The arguments that were made against equity then had been made before, and will probably be made again. We will fight them with a conviction embraced for the principles it represents, and guided by the knowledge of past arguments, fought and won.

The equitable educational opportunities our daughters receive because of Title IX have prepared them to fight with us. They will create the legislation of which we will all be proud. They have experienced less of the injustices experienced by their mothers before the enactment of Title IX. This is a victory, and one of which we should all be keenly aware.

Through Title IX, the federal government has made a promise to our daughters that they will not be discriminated against by it, or by any agency, organization, or institution that receives its support. Today we honor this promise, the work of all those who fought to establish it, and we recommit ourselves to its strengthening and its expansion.

Ms. RIVERS. Mr. Speaker, I rise today to commemorate the thirtieth anniversary of the landmark Title IX legislation, which ensures that young women are given the same opportunities their male counterparts enjoy, both in academics and in athletics.

When this legislation was passed in 1972, over three and a half million boys were participating in high school athletics, while less than 900,000 girls did so. During the last school year, however, and after 30 years of Title IX, the number of girls has tripled, with over 2.7 million girls playing a high school sport. These statistics clearly demonstrate that Title IX has been enormously effective in bringing young women into sports.

However, there is still work to be done. Though female athletic participation has increased over 800% since the passage of Title IX, according to the Women's Sports Foundation, male athletes still receive 1.1 million more participation opportunities than their female counterparts.

Title IX states that, ''No person in the U.S. shall, on the basis of sex be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal aid.'' This mission is as important today as it was thirty years ago. Together, as parents, teachers, coaches and mentors, we should continue to stress the importance of Title IX, and recognize the great strides it has made in leveling the playing field, literally, for young women in this country.

Ms. KILPATRICK. Mr. Speaker, I rise today to speak out in support of celebrating the 30th anniversary of the passage of Title IX of the Education Amendments of 1972. As we all know, Title IX prohibits sex discrimination in educational institutions from receiving federal funds. Title IX has been a crucial part of setting a standard of equal educational opportunity in this country.

Title IX aids in the disintegration of inequitable admissions policies, increases opportunities for women in nontraditional fields of study such as math and science, improves vocational education opportunities for women, reduces discrimination against pregnant students and teen mothers, protects female students from sexual harassment in our schools, and increases athletic opportunities for girls and women and has heightened the world's awareness of the importance of women's sports.

Even though this 30-year-old legislation has done so much good in this country, it is again under fire as a result of a lawsuit filed against the U.S. Department of Education alleging that it is to blame for the elimination of some men's minor sports. The Department of Justice, fortunately, is seeking dismissal of the suit, but this case has revived discussions about gender equity and the impact of Title IX.

I stand today with my colleagues to reaffirm the necessity of Title IX and to celebrate its

success over the past 30 years. May Title IX remain a reminder to us that our legislative system is created to protect the inherent and equal rights of all of our country's citizens, regardless of race, gender, or creed.

Ms. PELOSI. Mr. Speaker, I join my colleagues today in commemorating the 30th anniversary of Title IX and I thank my distinguished colleague, Congresswoman PATSY MINK, for organizing this special order.

As a member of the Education Committee in 1972, Congresswoman MINK helped craft Title IX, and engineer its passage. The day that it came to the floor, she was called away because her daughter had been in an automobile accident. She knew the vote would be close—and in fact the bill lost by one vote. But PATSY, through sheer force of will, forced then-Speaker Carl Albert to do the unheard of—to bring the bill up on the floor again. That time it passed.

Thank you, PATSY, for your leadership and dedication and for leaving women and girls a lasting legacy of your commitment to equal opportunity for all. While Title IX is best known for participation of women in sports, its real purpose is much broader: to end gender discrimination in all education programs. I always say that the three most important issues facing Congress are our children, our children, and our children.

Education is the most dynamic investment we can make and will bring more funds into the Treasury than any tax incentive you can name. Educated students become knowledgeable, productive citizens who are able to compete in the information economy. Title IX ensures that the full range of education opportunity is available to all of our children. For 30 years, Title IX has taken down the ''No Girls Allowed'' signs from our schools' locker rooms, shop classes, and career counseling centers. Today, because of Title IX, we are also taking down the signs from corporate boardrooms.

While there is much to celebrate on this 30th anniversary, there is also important work to be done. Barriers still exist to keep women and girls from achieving their full potential. Technology education is one of those barriers. Technology is the driving force of our economy and the sector most in need of educated workers. According to the Department of Labor, nearly 75 percent of future jobs will require the use of computers. Yet less than 33 percent of participants in computer courses are girls.

Girls are five times less likely than boys to consider a technology-related career path or plan to take postsecondary technology classes. We must use the power of Title IX to ensure girls are encouraged to participate in computer and technology programs that can broaden their options for the future. Before we can do that, however, we have to lay the basic infrastructure for technology educational for all our students. The first step toward preparing girls for the new economy is providing them with qualified teachers. Less than 2 percent of all computer/technology teachers today have a degree in computer science, and only 30 percent of teachers say they received any technology training.

Unfortunately, President Bush's budget eliminates the program that would help teachers effectively integrate technology into the classroom. As a mother of four adult daughters, I have seen the results of Title IX. Some are visible, like the growing number of girls on soccer fields and basketball courts. Equally important, though less tangible, is the message that Title IX sends to women and girls: Your education is crucial and your future is limitless.

Young women today believe they can do anything. And they can. We must continue to support this belief by fulfilling and sustaining the promise of Title IX.

Mr. FALEOMAVAEGA. Mr. Speaker, today marks the 30th anniversary of the passing of Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in federally assisted education programs or activities. Since its passing, Title IX has been crucial in setting a standard of equal education opportunities. Women and girls today, tend to be better educated and enjoy many opportunities that far surpass those of previous generations.

In the past 30 years, the growing trend has been for most to equate Title IX with women in athletics. Women and girls' participation in sports has increased. By 2001 nearly 2.8 million girls participated in athletics, an increase of more than 847 percent from 1971. While the achievements of female athletes is impressive, the effects of the legislation have reached well beyond that of sports.

We have steadily seen an increase in women's enrollment in school, accessibility to funding for school, and women in fields of study generally dominated by their male counterparts. In 1971, only 18% of young women completed four or more years of college. By 2006, women are projected to earn 55% of all bachelor's degrees. Similarly, women have made significant progress in graduate and professional fields. In 1994, women earned 43% of all law school degrees, compared with 7% in 1972. And in 1999, women earned nearly 50% of all medical degrees; in 1972, only 9% of medical degrees were earned by women.

As a result of Title IX, women have the opportunity to grow and excel in areas once reserved only for men; creating a more prosperous and fruitful nation. Today we must celebrate the advancements women have made over the last 30 years as well as recognize that there is still more work to be done. Disparities in salaries continue to exist between men and women. We continue to see less women in administrative positions, hard sciences and we need to create additional opportunities for more women to enter the nontraditional fields of science and math.

Today we celebrate Title IX of the Education Amendments of 1972's pivotal role in expanding women's educational opportunities and applaud the progress women have made over the last 30 years. In recognizing and celebrating Title IX's importance in today's society, we are ensuring that equal educational opportunities continue to be afforded to women and women's roles in society continue to be strengthened and appreciated.

I would also like to take this opportunity to recognize the women of American Samoa, who continue to excel because of Title IX. Growing numbers of Samoan women are furthering their education, both in American Samoa and in the United States. Many return home to contribute to the island community, while others remain in the U.S. as teachers, lawyers, professors, doctors and judges. Malo lava taumafai ia outou tama'ita'I Samoa i le la outou sogasoga ma le finafinau I le su'eina o le poto. E fia momoli atili ai le Fa'afetai tele I le porokolame o le Title IX mo le avanoa ua faia lea mo tama'ita'i Samoa.

Ms. LEE. Mr. Speaker, I rise today to commemorate the 30th anniversary of Title IX, the Education Amendments of 1972. Thirty years ago, Title IX was proposed to prohibit sex discrimination in federally-funded education programs. Since its enactment, Title IX has made a tremendous impact in bridging the gap between gender inequality in our educational system. Title IX has made improvements in the admission process, financial aid and scholarships allocation, educational programs and activities, health insurance benefits, marital status, athletics, and employment opportunities for women. Its extraordinary efforts have enriched the educational experience for women over the past 30 years.

In June 1997, the Department of Education attributed the rise in the level of education for women to Title IX. Its statistics are striking. In 1994, for example, about 63% of female high school graduates were enrolled in college, comparing to 43% in 1973. By 1994, about 38% of women received medical degrees comparing to the year in which Title IX was first introduced, in 1972, only 9% of medical degrees were awarded to women. In the same year that Title IX was enacted, about 7% of female students in law schools received a law degree. Whereas in 1994, about 43% of law degrees belong to women.

Title IX also helps lower the drop-out rates of women in school. It increases women's chances to enter what was once male-dominated fields such as math and sciences. It gives women more opportunities to complete post-secondary, graduate, and professional degrees. Furthermore, since its enactment, Title IX has increased athletic scholarships for women and thus expanded women's participation in athletics.

A Connecticut judge said in 1972: ''Athletic competition builds character in our boys. We do not need that kind of character in our girls.'' Today, athletic departments around the country are required to provide athletic opportunities for women and men proportionate to their enrollment. In addition, schools are required to foster programs that meet the interests of women. No longer is athletic competition just a man's world.

As the World Cup is taking place, I'd like to take this opportunity to congratulate the U.S. Men's National Soccer Team for their recent accomplishment in the quarter final. And it is my hope that they bring home the Gold, just as the U.S. Women's National Team did in 1999.

The U.S. Women's National Soccer Team is consistently one of the best, if not the best in the world. There is no doubt in my mind that their success is due, in large part, to Title IX, which gave them the support, financial and otherwise, that were not available to them prior to the birth of Title IX.

Title IX and subsequent related legislation have played a tremendous role in improving the lives of women since its enactment in 1972. And I am confident it will continue to elevate the status of women in society in the years to come.

I am proud to join my colleagues in celebrating the 30th anniversary of Title IX.

GENERAL LEAVE

Mrs. MINK of Hawaii. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on special order of the 30th anniversary of title IX.

The SPEAKER pro tempore (Mr. KENNEDY of Minnesota). Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

□ 1615

HOMELAND SECURITY

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

Mr. SOUDER. Mr. Speaker, I apologize for missing my earlier time slot. We were meeting with President Uribe of Colombia, the President-elect of Colombia, and we were very encouraged with his words on how he plans to address terrorism inside Colombia, narcoterrorism funded by American drug consumption. I am pleased for his initiatives and his intention to increase the Colombian contribution to the military and antidrug efforts in Colombia to address some of the concerns this Congress has had as far as who is involved in their armed forces and to have it more democratically spread through their country and his determination and will to fight the narcoterrorists in Colombia.

As I had mentioned yesterday on this floor, our subcommittee on government reform as well as other subcommittees and tomorrow the full committee will be starting to address the Department of Homeland Security. I wanted to raise a few other issues this evening. One in particular has to do with visa clearance, as we have learned, that really the Department of Homeland Security is more aptly called the Department of Border Security for Catastrophic Security. In other words, it has predominantly to deal with the meeters and greeters, those people as they are coming through ports of entry, as they are coming in airports, as they are crossing borders, as they are making decisions to come to the United States, and the primary concern of this department is catastrophic terrorism, not day-to-day terrorism. If you look at it in that sense, that is why the President has chosen to put the agencies that he has inside the Department of Homeland Security.

But there are a number of things that we need to look at hard in Congress. In section 403, visa issuance, it says in the proposed legislation that exclusive authority to issue regulations with respect to, administer and enforce the provisions of this act and all other immigration and nationality laws relating to the functions of diplomatic and consular offices of the United States will be given to this department, but it says, through the Secretary of State.

One fundamental question is, why are the people who are making the visa decisions at the embassies not considered part of the homeland security since otherwise the people at the Border Patrol, the Customs, the INS and others who are making those decisions at the border are merely reacting to what has been cleared at the embassy? Secretary of State Powell has objected with several comments and I wanted to respond to those.

He says that the Secretary of State and the State Department no longer have command over employees at the embassy. Of course not. There are other people who work at our embassies abroad, DEA, for example, and other agencies of the United States Government, the Defense Department, who work through our embassies and are not the direct employees of the Secretary of State. They have different missions. In this case, visa clearance, in my opinion, is a homeland security question predominantly and secondarily a foreign affairs question. And where it is a foreign affairs question in the case of China, the Secretary of State should be weighing in; but where it is a homeland security question, that person ought to be a line person in the Department of Homeland Security.

He says there would be conflicting information and guidelines for visa adjudication policy. No, there are currently conflicting things. Both the Justice Department and the State Department input and quite frankly homeland security ought to be the preeminent concern and then other political interests should be a concern.

He says the Secretary of State's ability to set foreign policy would be limited, only limited based on terrorism. The next question would be, Would this diminish the role of American ambassadors? No more than having DEA and other Defense Department personnel and other Commerce Department personnel in the embassy. We all recognize the importance of each ambassador being the American voice in those countries. No matter who works in that embassy, no matter who visits as a Member of Congress, our job is to back up the American voice in that country and not to cause cognitive dissonance in those countries. I do not believe it undermines the ambassador, I do not believe it undermines the Secretary of State, but if we are serious that this is at least the Department of Border Security, then we need to make sure that visa clearance comes under the Department of Homeland Security.

I also wanted to address a few questions related to Customs and illustrate a few points and challenges we have there. Clearly Customs is patrolling the border. This picture is one that I took along the Canadian border east of Blaine, Washington. This is Cascades National Park coming up on this side, which is further to the east. You can see the Canadian border running along here, a ditch that you could maybe sprain your ankle if you were running fast, but basically it is a completely unprotected border. Furthermore when you go in through the mountains, it is even less protected. As we tighten the borders at the crossings, we have to address the broader questions of how we are going to deal with the border; and if we overtighten at the crossing which will also restrict commerce, not only will we push it to the east in some cases, to the west in others and in the mountains and into the water, we also will have slowed down commerce. So it is important to understand that while the primary mission of the customs department in homeland security will be security, it is also important that they keep the trade moving.

We will continue to discuss this in committee and on the floor because it is very important we maintain the balance in Customs and Coast Guard in addition to homeland security for trade and other missions that they have.

MEDICARE PRESCRIPTION DRUG BENEFIT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Arkansas (Mr. ROSS) is recognized for 60 minutes.

Mr. ROSS. Mr. Speaker, for the next hour I plan to visit with the Members of the United States House of Representatives, and other Members will be joining me throughout this hour, to talk about the need to truly modernize Medicare, to include medicine for our seniors. This is something that both parties have talked a lot about. They have talked about it for years. Yet we continue to live in a society where today's Medicare, if you really stop and think about it, is designed for yesterday's medical care. What I mean by that is I recently encountered an elderly woman in Glenwood, Arkansas, in my congressional district who is a retired pharmacist who just happened to have been a relief pharmacist at the pharmacy that my family used in Prescott, Arkansas, when I was a small child growing up there. She talked about how if she filled a prescription and it cost more than $5, she would go ahead and fill the next prescription while she tried to build up enough courage and confidence to go out and tell the patient that their medicine was going to cost $5. My, my, how times have changed. How times have changed and indeed today's Medicare really is designed for yesterday's medical care.

I have stepped across the aisle and voted with my Republican Members probably as many times as any Democrat in this Chamber. So I think I can say with some credibility and with some respect that when it comes to the need to provide our seniors with a prescription drug benefit, in my opinion the Republicans are dead wrong on this issue. This is coming from a conservative Democrat from south Arkansas, one who has crossed over that aisle and

voted with the Republican Party numerous times over the past 17 months. The reason I know that their prescription drug plan is bad is because, you see, I understand this issue. I own a small-town family pharmacy. My wife is a pharmacist. I understand this issue. And I understand what our seniors need. They need an affordable, a voluntary, a guaranteed prescription drug benefit for all seniors.

I am going to spend the next hour talking about the differences in the Republican plan and the Democrat plan, and I am proud to be one of four lead sponsors on the Democratic plan, one that will truly modernize Medicare to include medicine for our seniors. But before I get into that, I would like to yield to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. I thank the gentleman from Arkansas (Mr. ROSS) for yielding. I came to Congress in January of 1999. In 1998 I was campaigning on behalf of senior citizens throughout these United States. I was campaigning particularly because my dad is 82 years old, my mom is 81 years old, all of my friends have parents that are octogenarians; and I talked to them constantly about what is it that I can best do if and when I go to Congress to support you. All of them said to me, save Social Security, make sure Medicare is strong, and we need a prescription drug benefit.

In my congressional district, which is the 11th Congressional District of Ohio, we have had two or three sessions with senior citizens where we have given them a chance to come out and talk about the issue of a prescription drug benefit and what it would mean for them. Many of them are talking about taking as many as nine or 10 different drugs and that as a result of having to take that many different drugs, the cost of drugs, their prescription drugs, is so significant that they are really choosing between eating and choosing between, in the twilight of their lives, having an enjoyable time versus having the chance to enjoy the benefits of all the work that they have done.

Recently on the front page of The Washington Post, there was an article entitled ''Kicked in the Teeth,'' which lamented the impact of America's soccer team victory over Mexico during the World Cup competition and the implications that such a loss had upon our neighbors to the south. The article went on to discuss the embarrassment of this loss for a nation with a great soccer tradition such as Mexico.

Well, today I want to borrow from that title to discuss the GOP prescription drug plan that was marked up this week. Senior citizens in America are not unlike Mexico's soccer fans. They expected a win and what they got was a loss. But this loss was not at the hands or feet of a foe, but rather the House leadership. Once again the leadership has created an industry-based bill that further alienates and confuses senior citizens on what they can expect. According to experts, the GOP plan is, and I quote, ''Hollow, highly ideological and worthless. It will roll back Medicare and leave senior citizens in the country choosing between food and medicine.'' So in essence they have been kicked in their teeth.

The disappointment senior citizens must be feeling cannot be measured or polled; but I would encourage all those grandmothers, grandfathers, aunts, uncles, mothers and fathers to remember that your sacrifice to build, protect and maintain the greatness of this country is not being respected by the House leadership, but rather sold to the highest bidder.

''Sold'' is the word you hear at the end of a successful auction. I would like to invite all of you here in town tonight to join my Republican colleagues at the close of their prescription drug benefit auction tonight at the pharmaceutical-industry-sponsored GOP fundraiser. All you need is about $25,000 and just no conscience at all.

However, I would impart one word of advice. The only thing they are going to serve tonight is corn on the cob, so if you have been kicked in the teeth you better find somewhere else to eat. So if you show up tonight with a hearty appetite for change and you are looking for a truly compensive prescription drug benefit, the soup line is forming to the rear. I would suggest you tell all of your congressional Members that they should support the Democratic substitute that is being offered by my colleague, the gentleman from Arkansas (Mr. ROSS).

I thank the gentleman from Arkansas for his leadership on this issue. I am confident that once the American public has had a chance to listen to the difference between the Republican bill and the Democratic bill, they will understand that the Democrats in this House are pushing for a real prescription drug benefit.

□ 1630

Mr. ROSS. Mr. Speaker, I thank the gentlewoman for sharing her thoughts with us on the prescription drug issue and for all that she does.

Mr. Speaker, let me just visit for a moment about my experiences, not as a Member of the United States Congress, but as someone who is married to a pharmacist, who owns a small-town family pharmacy in our hometown of Prescott, Arkansas, a town of 3,400 people. Let me talk to you for a moment as a family pharmacy owner, someone who has experienced all of the trials and tribulations that our seniors go through day in and day out.

I actively managed that business before coming to the United States Congress; and I can tell you, I can put faces and names with patients, but patient confidentiality, thank goodness, prevents that. But I can put faces to these stories in my own mind as I relay them today of seniors who would come into the pharmacy, who were literally forced to choose between buying their medicine, buying their groceries, paying their rent, paying their light bill.

We are talking about the Greatest Generation. We are talking about seniors who have given so much to this country, who supposedly live in the most industrialized society in the world, and yet we live in a society where they cannot afford their medicine or cannot afford to take it properly.

Living in a small town, I would see seniors leave without their medicine; and living in a small town I would learn a week, 10 days later, where they are in the hospital in Hope, Arkansas, some 16 miles away from my hometown of Prescott, running up a $10,000 or $20,000 Medicare bill, or a diabetic who has to have a leg amputated, or a diabetic who has to have kidney dialysis, all things that Medicare pays for, and all things that could have been avoided; but they were not, because Medicare does not include medicine and our seniors simply could not afford the $40 or $50 prescription that could have saved the Medicare trust fund $10,000, $20,000, $50,000, as much as $250,000 for some kidney dialysis patients.

Again, today's Medicare is designed for yesterday's medical care. And it is time we did right; it is time we did right, by our seniors.

Some people say, well, the government cannot afford it. I say the government cannot afford not to, and here is what I mean by that. Health insurance companies are in the business to do what? Health insurance companies are in the business to make a profit. And then they cover the cost of medicine. Why? Because they know it helps hold down the cost of needless doctor visits, it helps to hold down the cost of needless hospital stays, it helps to hold down the cost of needless surgeries.

It is time we truly modernized Medicare by creating a voluntary, but a guaranteed, Medicare part D prescription drug benefit. What I mean by that is this. Part A covers going to the hospital. Part B covers going to the doctor, medical equipment and so forth and so on. The part D that we are proposing would be voluntary, meaning if you are one of the few seniors in America who are fortunate to have medicine coverage from a previous employer, and, by the way, there are very few that fit that category in my congressional district, but if you are one of the few that have prescription drug coverage through a previous employer, one, you ought to count yourself lucky and fortunate, because very few seniors have any coverage at all. But if you fall in that category and like what you have, you ought to be able to keep it. That is why our plan is voluntary. But it is a guaranteed part of Medicare, just like going to the doctor and going to the hospital.

Now, the drug manufacturers do not like my plan. They do not want to be held accountable. I have got bottles of pills, medicine, tablets, capsules on the shelves of my small pharmacy back

home in Prescott, Arkansas, that cost $3,000, that are being sold in Canada and Mexico for $300 or $400.

I say this: if the governments in those small countries, Canada and Mexico, can stand up to the big drug manufacturers, why can we not do the same thing in the United States of America?

We may have found the answer. The Washington Post, June 19, 2002: ''A senior House GOP leadership aide said yesterday that Republicans are working hard behind the scenes on behalf of PhRMA, that is the Pharmaceutical Manufacturers of America, to make sure that the party's prescription drug plan for the elderly suits drug companies.''

I do not know about you, but I am appalled by that. This is the United States House of Representatives. We do not write legislation based on what is going to allow our party to raise money. At least I hope we do not. It is time we stood up to the big drug manufacturers and said enough is enough.

It is reported that in the year 2000, $360 million was spent by the drug manufacturers on lobbying, advertising and political donations; and I say that is wrong. Do you ever see those ads on TV where they are trying to tell you which drug you need to tell your doctor you need? Have you ever thought about that? Slick TV ads put on the air by the drug manufacturers trying to tell you which drug you need to tell your doctor you need.

Many drug manufacturers spent more money in the year 2000, the numbers are not out yet, but I am quite sure and confident it is the same for 2001. Many drug manufacturers spent more money marketing their products with these slick TV ads than they spent on research and development of drugs that can save lives and help all of us to live longer and healthier lifestyles.

This 1-hour on prescription drugs for our seniors was supposed to occur tonight. Why is it occurring now? Because the leadership of this body chose to stop voting early today so they could make it to a fundraiser tonight that is being hosted by the big drug manufacturers at a time when these prescription drug bills that our seniors need and are counting on are being marked up, are being debated in the Committee on Ways and Means and in the Committee on Energy and Commerce.

Again, I am a conservative Democrat. I have crossed over that aisle and voted with the Republicans numerous times, as many as any Member of the United States Congress; but I can tell you when it comes to this issue, they are wrong. It is time for them to make a decision. Are they going to side, continue to side, with the big drug manufacturers, or are they going to join me in endorsing my bill that will truly modernize Medicare and include medicine for our seniors and start siding with our seniors, for our seniors?

It is time that this Congress united in a bipartisan manner on the need to truly modernize Medicare to include medicine for our seniors, just as we have united on this war against terrorism.

Again, a senior House GOP leadership aide said yesterday that ''Republicans are working hard behind the scenes on behalf of the Pharmaceutical Manufacturers of America to make sure that the party's prescription drug plan for the elderly suits drug companies.''

This ought to be about suiting our seniors. It ought to be about giving our seniors a prescription drug benefit that means something. This debate should not in any form or fashion be about catering to the drug manufacturers.

Let me talk to you about the differences between the Republican proposal for a Medicare prescription drug benefit and my proposal, the Democratic proposal, for a Medicare prescription drug benefit.

A lot of people say, well, what about the guaranteed minimum benefit? The Republican proposal, beneficiaries, seniors, must obtain coverage through private insurers who may not participate, are not required to participate, and can offer vastly different benefits and premiums. In other words, the first step at trying to privatize Medicare.

What does my proposal do, the Democratic proposal? Medicare covers prescription drugs like other Medicare benefits, with guaranteed benefits, premiums and cost-sharing for all beneficiaries. Not a complicated formula. We do not try to privatize Medicare. We simply say that going to the pharmacy and getting your medicine ought to be treated just like going to the doctor and going to the hospital. It should be covered by Medicare.

Some people say, what about guaranteed fair drug prices? Under the Republican plan for a prescription drug benefit, private insurers, again, privatizing Medicare, negotiate separately on behalf of sub-sets of the Medicare population, diminishing the program's group negotiating power.

Believe me, there is nothing the drug manufacturers want more than to whittle this thing down into small groups. If we come at them with the entire Medicare population, they know we are going to demand the same kind of rebates that they provide the big HMOs and have for years. They know we are going to demand the same kind of rebates that State Medicaid programs, and, yes our Veterans Administration, gets. And why should we not? I am sick and tired of seeing our seniors in America subsidize the cost of health care in Canada and Mexico, and that is what we are doing.

What does the Democrat proposal do? It authorizes the Secretary of Health and Human Services to use the collective bargaining clout of all 40 million Medicare beneficiaries to negotiate fair drug prices. These reduced prices will be passed on to beneficiaries. And, yes, it is time we demanded the same kind of rebates from the big drug manufacturers that the State Medicaid programs and big HMOs have been getting for years. Those rebates should go directly to the Medicare trust fund to help fund this Medicare part D prescription drug benefit.

What about premiums? In the Republican plan, they will not put it on paper, but it is estimated to be $35 a month. In the Democratic plan, it is in writing. It is $25 a month. That is the premium that a senior would pay for this voluntary, but guaranteed, Medicare part D prescription drug benefit, should they choose to decide to sign up for it.

The deductible. The Republican proposal is $250 a year; the Democratic proposal, $100 a year. Again, just like going to the doctor and going to the hospital.

Coinsurance. Get ready for this. The Republican proposal makes filling a tax return out look simple. It will be very difficult for most seniors without hiring a CPA to figure out exactly what it is they qualify for and when they qualify for it.

The Republican plan calls for coinsurance of 20 percent for the first $1,000; 50 percent for the next $1,000; and 100 percent for all remaining spending up to $4,500 a year. And then something, we are not sure what, but something will kick in again.

Now, think about that a minute. The first $1,000, you are going to pay 20 percent out of pocket. Once you hit that $1,000, it is going to 50 percent out of pocket. Once you have hit that second $1,000, they are going to make you pay 100 percent on all remaining spending until you hit $4,500 a year.

I can tell you seniors who live in my district trying to get by from Social Security check to Social Security check that averages less than $600 a month with a $400-a-month drug bill, they will not ever get to the $4,500 because they simply cannot afford to pay for their medicine; and as a result, they are going without their medicine or they are not taking it properly.

□ 1645

I recently had a senior tell me she did not know what she would do without her son, who is in his 50s. She said he had a good job. He had a job where he had health insurance. It just so happened that he took the same medicine that she did. It was about 3 bucks a pill, and there was no way she could afford it. So he would get the medicine filled and give it to her. He was going without his medicine so his mom could have her medicine.

I can tell my colleagues story after story. I have driven 83,000 miles in the last 17 months in those 29 counties in South Arkansas and every day I am out there I hear numerous stories just like that about seniors who cannot afford their medicine or cannot afford to take it properly.

So what does the Republican plan do? It says you are going to pay 20 percent on the first $1,000, and then for some reason, you are supposed to have more

money as a senior on a fixed income so you should be able to afford to pay 50 percent on the next $1,000, and after that, you are on your own when you hit $4,500 and then we will be back and we will kick in some more.

Folks, it is time we brought common sense to the United States Congress. This is not common sense.

What does the Democratic proposal do? It is just like going to the doctor or going to the hospital: Twenty percent copayment, period. That is it.

Out-of-pocket maximum. I mentioned the Republican out-of-pocket maximum is $4,500 a year. Again, most seniors in my district can never get to the first $4,500 because they cannot afford $4,500 in out-of-pocket before some kind of so-called Medicare prescription drug benefit kicks in. The out-of-pocket maximum on the Democratic plan is $2,000. And what that means is, every time you go to the pharmacy, well, first you are going to pay a $100 annual deductible. After you have met that, you are going to pay 20 percent of the cost of medicine; Medicare will pay 80 percent of the cost of medicine. If you have a $100 prescription, you are going to pay $20, instead of $100 like you are paying today. And once you have spent out of pocket $2,000, then Medicare kicks in and pays the full price. That is significant. And that will help our seniors who need help the most.

Some people say, what about coverage gaps? The Republican proposal says this: Beneficiaries who need more than $2,000 worth of drugs must pay 100 percent out of pocket, but keep paying the premiums until they reach the $4,500 out-of-pocket cap. Again, our seniors cannot afford this. They will continue to do like many of them are doing today, and that is to go without their medicine, or not take it properly.

What about coverage gaps in the Democratic plan, my plan? Beneficiaries always have coverage. There are no gaps. It is not more complicated to figure out than an IRS tax form. It is plain and simple, $25 a month annual premium, $100 annual deductible. After that, every time you go to the pharmacy, you pay 20 percent, Medicare pays 80 percent. And after you have been out $2,000 a year total, Medicare kicks in at 100 percent. Nothing complicated. You will not have to hire a CPA to figure it out. You will not wonder from month to month what you do and do not qualify for and what your copay will and will not be. It will always be the same. Again, it is structured just like going to the doctor and going to the hospital is under Medicare.

Some ask about access to local pharmacies. I have to tell my colleagues, the Republican plan allows these private plans to limit which pharmacies participate in their network. There may be a senior that has used the same pharmacy for 60 years and, all of a sudden, under the Republican plan, you are going to be told that you have to use mail order, or that you have to use a pharmacy in another town or on the other end of town.

Under my plan, the Democratic plan believes in providing you with the freedom to choose any pharmacy willing to play by the Medicare rules and accept the rate of reimbursement that is established, not by that pharmacy, but by Medicare, can participate, just like Medicare is with going to the doctor and going to the hospital. If those providers or doctors and hospitals agree to participate under the rules and regulations and fees set forth by Medicare, then you have the freedom to choose. The same thing here with the Democratic plan. Our plan does not tell you which pharmacy you must use. We let the senior decide.

Some people say, what about access to prescribed medicines? Well, the Republican proposal says that private insurers can establish strict formularies and deny any coverage for all formulary drugs. Now, what does that mean? Well, I can tell my colleagues what it means. I have allergies and I have to take a nasal spray and my doctor wrote it for one brand. I got to the pharmacy to get it filled and they wanted to charge me a higher copay or deductible, copayment. They wanted to charge me a higher copayment if I stuck with the brand that I wanted, but if I would go to the preferred brand, my copayment would almost be cut in half, meaning my out-of-pocket would be cut almost in half. Well, I got to looking and, guess what? They wanted to switch me to a drug that as a pharmacy owner, it costs me $10 more.

Now, why in the world would a health insurance company in the business of making a profit want to punish me for going with the cheaper drug and reward me for going with the higher priced drug? The answer, unfortunately, is quite simple. Because the rebates on the more expensive drug that that health insurance company is receiving from the drug manufacturer are so huge. We are going to continue to see that game played under the Republican proposal because, again, it creates formularies and if there is not a kickback being afforded on a drug to these private insurers, again, privatizing Medicare, then under their proposal, the drug your doctor wants you to have will not be covered.

I am sick and tired of seeing health insurance companies, prescription benefit managers, accountants, bean counters, trying to play doctor. If the doctor says you need a particular drug, I think that is the drug you ought to get, and under the Democratic proposal, that is what happens. Beneficiaries have coverage for any drug their doctor prescribes, period. Under the Democratic proposal, whatever your doctor says you need is what you are going to get, not some complicated formulary based on who is kicking back to who how much, as the Republican proposal provides.

Low-income protections. Under the Republican proposal, low-income beneficiaries may have to pay $2 or $5 as a copayment and 100 percent of costs in the coverage gap. Drugs may be denied if the beneficiary cannot afford this cost-sharing.

Under my plan, the Democratic plan, here is what we say about low-income seniors. There is no cost-sharing or premiums. When I talked about paying a 20 percent copayment, when I talked about paying the premium of $25 a month, we waived that if you live up to 150 percent of poverty, and then there is a sliding scale for premiums phased in between 150 and 175 percent of poverty. So if you live in poverty, under the Democratic plan, you get your medicine, no 20 percent copay, no premium. Under the Republican plan, they are still going to require you to pay $2 or $5. Again, it is a complicated formula on what you have to do under one set of rules.

These are huge differences, I say to my colleagues, between these two proposals. The Republican plan again caters to the big drug manufacturers.

The Washington Post, June 19, 2002. A senior House GOP leadership aide said yesterday that Republicans are working hard behind the scenes on behalf of PhRMA to make sure that the party's prescription drug plan for the elderly suits drug companies.

Again, as a conservative Democrat, I have crossed that aisle and I have voted with the Republican Members of this body as much as any Member of this Congress has done. When they are right, I will stand with them. As a small town family pharmacy owner, as someone who served on the State Senate public health committee for 8 years back home in Arkansas, as someone who has a 90-year-old grandmother back home who lives from Social Security check to Social Security check, I can tell my colleagues that when it comes to the need to provide our seniors with a prescription drug benefit, they are dead wrong. You cannot side with the big drug manufacturers and still come down on the side of seniors. You have to choose.

Now, the Republican national leadership decided we were going home early today so they could go get all dressed up for their big fund-raiser tonight that is being sponsored by these drug manufacturers while at the same time we are sitting here in the United States Congress simply asking for a hearing on our bill, a bill that I helped write, that will truly modernize Medicare to include medicine for our seniors. And they are out wining and dining with the big drug manufacturers at a fund-raiser to benefit the Republican Party on the night following one of the most comprehensive hearings and markups to ever occur as it relates to the need to modernize Medicare to include medicine for our seniors.

Mr. Speaker, these bills are being debated and written as we speak in the House Committee on Ways and Means and in the House Committee on Energy and Commerce. I have to tell my colleagues, I am very disappointed to see

this article today and to see what is going on in this Congress.

This should not be about the drug manufacturers. It should be about standing up to the big drug manufacturers and standing with our seniors. It is not that complicated, and the Republican plan tries to complicate it. It is more complicated than filling out a tax return. Our seniors do not need any more complications in their lives. They do not need politics in their lives. They simply need a Medicare prescription drug benefit that allows them to get their medicine just like Medicare allows them to go to the doctor and to go to the hospital.

I am very concerned about how this proposal by the Republicans privatizes Medicare. The Republican bill forces seniors to obtain coverage through private drug-only insurance plans or HMOs. It is not a true Medicare benefit like parts A or B where all seniors are guaranteed a defined set of benefits at a uniform price.

Under their bill, there will be no universal Medicare-sponsored prescription drug plan. The Republican bill moves Medicare towards a defined contribution program with the ultimate goal of turning Medicare over to the private insurance market. I, for one, think that would be a huge mistake, and so do so many other senior organizations that have endorsed my bill that takes on the big drug manufacturers, that holds the big drug manufacturers accountable, and provides our seniors with a meaningful Medicare part D voluntary, but guaranteed, prescription drug benefit.

However, do not just take my word for it. Listen to what others are saying.

□ 1700

''I'm very skeptical that 'drug only' private plans would develop.'' That comes from Bill Gradison, former Republican Congressman and former president of the Health Insurance Association of America.

States have tried to get the private insurers into the business of providing seniors with a prescription drug coverage. Who is going to buy the plans? Those who have the high drug bills. If one does not need drugs and is on a fixed income, one is not going to buy the plan. That is why the plan will not work. The premiums will exceed, if not cost as much as, the cost for the medicine.

With regard to the proposal to rely on private drug entities for drug benefits, ''There is a risk of repeating the HMO experience.'' We all know the HMO experience did not work. They tried that. We have been there; we have done that. They are all getting out of the drug business, and they are all getting out of the Medicare business. That quote comes from John C. Rother, policy director of AARP, formerly known as the American Association of Retired Persons.

With regard to whether private insurance plans would participate in the Republican Medicare drug plan: ''I don't think it's impossible, but the odds are against it.'' That is Richard A. Barasch, chairman of Universal American Financial Corporation of Rye Brook, New York, which sells MediGap coverage to 400,000 people.

When asked if they favor being placed at financial risk, as the Republican plan requires, ''We are not enthusiastic about that approach,'' says Thomas M. Boudreau, senior vice president and general counsel of Express Scripts.

With regard to their experience with accepting financial risk for providing drug benefits: ''We are typically paid a fee, generally less than $1, for each claim. But we do not bear financial risk.'' That is Blair Jackson, spokesman for AdvancePCS, one of the outfits that the Republican plan calls to help run this attempt at privatizing Medicare.

I hope each and every Member of the United States Congress will put politics aside, read the Republican plan on modernizing Medicare to include medicine for our seniors, read my bill, the Democratic bill that will truly modernize Medicare to include medicine for our seniors, and compare them.

If they do that, I think they will agree with me that it is time for us to put politics aside. It is time for the Republicans to stop siding with the big drug manufacturers. Let us hope tonight's fundraiser that is hosted by the big drug manufacturers, that they do not belly up to the trough with the big drug manufacturers, trying to raise money in the middle of a debate on something so lifesaving and so important for our seniors.

It is time for this Congress to unite behind the need to provide our seniors with a prescription drug benefit, just as we have united on this war against terrorism. So I challenge my colleagues on the other side of the aisle: read my plan and read the Democratic plan. Read their plan. Then do what is right, not by the big drug manufacturers, but by our seniors.

Again, from The Washington Post, look it up, June 19, 2002: ''A senior House GOP leadership aide said yesterday that Republicans are working hard behind the scenes on behalf of the Pharmaceutical Manufacturers Association to make sure that the party's prescription drug plan for the elderly suits drug companies. These same drug manufacturers are hosting a multi-million dollar fundraiser this very night for the Republican Party.'' That is from The Washington Post.

I am appalled by that. It is time for the Republicans to make a choice. Are they going to continue to side with the big drug manufacturers, or are they going to side with our seniors? I encourage them to stretch across this aisle and endorse my bill, the Democratic bill, that gives the help to our seniors, America's Greatest Generation, that they so desperately need.

Mr. Speaker, I yield to my friend and colleague, the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman for yielding to me. I just want to tell the gentleman what a great job he has been doing on this Special Order in pointing out what the Republican leadership is up to.

Mr. Speaker, I just want to back up what the gentleman is saying. I see he has that quote from the Washington Post: ''A senior House GOP leadership aide said yesterday the Republicans are working hard behind the scenes on behalf of the Pharmaceutical Manufacturers Association to make sure that the party's prescription drug plan for the elderly suits drug companies.''

I just came from the markup in the Committee on Energy and Commerce, and I can assure the gentleman the quote he had up there is absolutely true. We just broke at exactly 10 minutes to 5 because the Republican leadership on the committee admitted that they were going to that fundraiser tonight. The chairman actually held up the ticket for the fundraiser, and said, maybe you guys want to join us at the fundraiser tonight. So there is absolutely no question that the reason that we could not even finish the bill today was because they had to run, the Republicans on the Committee on Energy and Commerce, had to run to this fundraiser tonight.

I do not know if the gentleman went through it, and some of these companies are even in my district, but I just have to give the gentleman a little information on that same Washington Post article.

It says: ''Drug companies, in particular, have made a rich investment in tonight's event. Robert Ingram, GlaxoSmithKlein PLC's chief operating officer, is the chief corporate fundraiser for the gala; his company gave at least $250,000. Pharmaceutical Research and Manufacturers of America, that is PhRMma itself, the trade group funded by drug companies, kicked in $250,000, too. PhRMa, as it is best known inside the Beltway, is also helping to underwrite a television ad campaign. . . . ''

Basically, just what they did, just in terms of the Committee on Commerce today, they spent the last month, PhRMa and the other brand name drugs, financing this $4 million to $5 million TV ad campaign telling everybody how the Republican prescription drug proposal, when it came forward, would be the best thing we have ever seen since apple pie, okay?

Then they bring the bill up this week, we had it in committee today, and they have the fundraiser tonight, and they have to break the committee to go to the fundraiser. Then they are going to take that money from the fundraiser tonight, which is mostly soft money, as the gentleman knows, and they are going to use it putting on ads telling them how great the Republican members are because they voted

for the Republican plan, and how bad the Democrats are because they did not vote for it. That is what this is all about.

Today when the Democrats on the Committee on Energy and Commerce were trying to make amendments, we were told the amendments were not germane. The reason was very simple. First of all, they did not want us to have a long debate, because they had to get to the fundraiser. Secondly, since they have already decided what the bill is going to have, because it is essentially written by the pharmaceuticals, they do not want to change the bill. They already have the TV ads running saying how great the bill is. They cannot change it, because if they do, it will not be what they are saying they are going to do.

There was absolutely no way for the Democrats or anyone who had any questions about this Republican legislation to have any significant input today. I am sure tomorrow is going to be the same.

I just want to go through a little more here. I am going to turn to page A 5 in this same article that the gentleman has been talking about, just to give a little more idea, because I do not want to just mention three or four drug companies. There are quite a few.

It goes on here to say that ''Pfizer, Inc., contributed at least $100,000 to the event, enough to earn the company the status of a vice-chairman for the dinner. Ely Lily and company, Beyer, and Merck and Company each paid up to $50,000 to sponsor a table. Republican officials said other drug companies donated money as part of the fundraiser extravaganza.''

I would say to my colleague, the gentleman from Arkansas, we are referencing Republican sources here. These are not Democrats saying this; these are Republicans. As I said, they do not have any shame, any shame whatsoever about saying that this whole effort on the Republican side is totally bankrolled by the drug companies.

To give another idea, we had a discussion at the very end of the day, before they broke at 5 for their fundraiser, where we pointed out that all the things that they are saying about the Republican bill, like the Republicans that were here last night during a Special Order, and the gentleman may have seen them, they were saying that the bill is a Medicare benefit.

The only way it is a Medicare benefit is because the seniors over 65 are the ones that theoretically are targeted. It is not actually a benefit under Medicare. It is not a government program. It is a program that gives money to private insurance companies, hoping that they will provide some meager benefit.

Then we had questions in the Committee on Energy and Commerce today that said, well, the Republicans suggest that this program has a $45 premium, that it has a $250 deductible, that it is going to pay a certain amount of money for the drug benefit; but then when asked, the gentleman from Michigan (Mr. DINGELL), who is the ranking Democrat, he said, show us in the Republican bill, because we finally do have the bill now, where it says that the premium is only $35, where it says that the deductible is only $250, where it says that the Federal Government is going to pay for a certain amount of the drug benefit.

There is nothing in the bill. The counsel for the committee admitted that was all speculation based on CBO estimates. In other words, they tell the CBO that they are going to throw a certain amount of money to the private insurance companies, and what do they think is likely to happen if they do that? Then they come back and say, well, maybe the premium would be about $35 a month, or that the deductible would be $250. But there is no guarantee that the deductible in New Jersey is $250 or that the premium in Arkansas is $35. It could be $85 in Arkansas. It could be $150 in Nevada. There is absolutely nothing in the bill, in the Republican bill, that guarantees any kind of benefit, because it is all up to what the private insurance companies want to do.

Then I asked, well, they keep talking about how they are going to have lower prices. Last night on the floor, the Republicans who did the Special Order said they are going to lower prices for drugs. I said, where is that in the bill? The Republican bill, the language says that the private insurers can negotiate lower prices, that they can provide discounts, but they may, they may negotiate, they may provide discounts, or they may pass on those discounts to seniors, but there is nothing that requires them to do so. Why in the world would we believe that they would? I have no reason to believe that they would.

This is the most or the biggest scam that I have ever seen. I do not understand how our colleagues can even suggest that they are providing any kind of benefit at all.

I do not want to keep going. I will yield back to the gentleman, but I assure the gentleman that what he has been saying, because I have been listening to some of it with one ear, is absolutely coming to fruition, particularly that quote about making sure that the Republicans' prescription drug plan suits drug companies.

Mr. ROSS. Mr. Speaker, maybe we can visit a little bit about this, because it is so important. I want to make sure we use every second of every minute that is afforded to us to visit here in the United States House of Representatives about an issue that literally, for many seniors, is life or death.

It is just unfortunate to me that we have two proposals, one that sides with the big drug manufacturers, that being the Republican proposal, and one that sides with our seniors, that being the Democratic proposal.

Why can this Congress not unite on the need to modernize Medicare to include medicine for our seniors, just as we have united on the war against terrorism? I have tried to do that. It is H.R. 3626. The gentlewoman from Missouri (Mrs. EMERSON), a Republican, and I wrote a bill; and yet the Republican national leadership, they are in the majority, they decide what bills get a hearing, what bills get a vote in committee and on the floor. For months I have begged, I have pleaded for our bill, a bipartisan bill, to get a hearing and to get a vote.

If the majority party, those who call the shots, decide what gets voted on and when, what gets heard in committee and when, if they really care about this issue, really care about helping our seniors, and if what their rhetoric is is more than just election-year politics, and it is really wanting to do the right thing and modernize Medicare to include medicine for our seniors, why did they not let the gentlewoman from Missouri (Mrs. EMERSON) and I get a hearing on that bill?

Much of that bill is now incorporated into the Democratic proposal. I am a Democrat and my colleague, the gentleman from New Jersey, is a Democrat. But do not take our word for it. I challenge anyone to go to their hometown and visit their hometown pharmacist. Ask their pharmacist which proposal is best for America, which proposal is best for our seniors. Every single time they will tell us that the Democrats are right on this issue. They may tell us that the Democrats are not always right on every issue; but they will tell Members, according to the Gallop poll, the most trusted profession in America, pharmacist, and again, I am not one, my wife is, but they will tell us that on this issue the Democrats are right and the Republicans and the big drug manufacturers are dead wrong.

Mr. PALLONE. Mr. Speaker, I appreciate the gentleman yielding further, and again, his comments are so appropriate.

Process-wise, let me tell the gentleman, we got the Republican bill 24 hours ago. We have never had a hearing on the Republican bill. We went straight to markup. The first thing they started to do was to amend their own bill. Before we even had an opportunity to digest the initial bill, they were making amends to the bill.

So the process that the Republicans are using on this is just outrageous because nobody knows what is going on. We literally have to read the bill and amendments as we are sitting there in the committee.

But the gentleman talked about a possible compromise or a consensus, a bipartisan effort.

□ 1715

I have no doubt that that could be done, but the will is not there on the Republican side. I have been critical of the Republican proposal because it is

not a very generous proposal. In other words, even if everything they speculate was true and they were going to have a $35-a-month premium and they were going to have a $250 deductible, at least it would be something if it was under Medicare and it was guaranteed.

I would suggest if the Republican leadership wanted to say, okay, we will put in a bill that has these benefits, and that has these premiums and these deductibles but it is part of the Medicare program and it is guaranteed to everyone around the country, then I think we could sit down, and we could compromise because the Democrats have a much more generous plan, and the Republican plan is pretty meager, but we could figure out the differences between the two and maybe strike a consensus or strike a compromise.

What I have been saying and I have said all along and continue to say that the problem with the Republican proposal is that it is not real. It is not a Medicare proposal. It is not providing a Medicare benefit. There is no guarantee anyone is ever going to get the benefit, not to mention the fact that it does nothing to lower prices.

So the problem here is the Republicans are not being real. They are not giving us a Medicare proposal. They are not giving us something that we can say, okay, let us see where we are going to go and we will compromise and we will come up with the amount of the benefit and what it is going to mean. No, no, no. What we are doing here is just the same old thing we saw 2 years ago with the Republican leadership. Throw some money to private insurance companies, and I really think that what they are up to is that they really do not want any bill to pass. In other words, the pharmaceuticals, the statement that was made there about a Republican drug plan that suits drug companies, essentially the pharmaceuticals do not want any benefit because they like the status quo. They like the fact that they continue to raise prices, that they continue to make big profits, that they continue to get tax breaks.

I do not think that they and the Republican leadership really want to come up with a bill that would pass here, pass in the other body and be signed by the President, because it would be very easy. Like the gentleman said, he had cooperation with the gentlewoman from Missouri (Mrs. EMERSON). It would be very easy to put something down on paper that we could all agree on, but the leadership on the other side does not want to do that.

I am convinced from what I saw today they just do not want to do it. They do not want any bill to pass ultimately and go to the President.

Mr. ROSS. Mr. Speaker, I can tell my colleague for the last 17 months that I have had the privilege to serve and be a voice for the people of Arkansas' 4th Congressional District here on the floor of the United States House of Representatives. I have begged, I have pleaded, I have scratched, I have crawled to try and get a hearing on my first bill, H.R. 3626. I could not get a hearing on that. Now I am pleased to be one of four of the original lead sponsors on this new plan which incorporates much of what was in my earlier bill.

It is like all we get from the other side of the aisle is a lot of games. We get a lot of games on the need to truly modernize Medicare, to include medicine for our seniors, and that is so unfortunate.

First out of the chute was this idea that what our seniors needed was a discount prescription drug card, a discount card, like it was some new novel concept. My dad got one in the mail for free 6 months ago. A person can watch any cable TV program late at night and for $7.95 a month they can get one.

Why do they want to push a discount card? Because any savings which averages 50 cents to $3 came at the expense of a hometown family pharmacy and did not cost the big drug manufacturers a dime.

A senior that has $400 a month in drug costs and takes five prescriptions a month, even if they save $3 per prescription, which is the best some do with these so-called discount prescription drug cards, $3 a month savings, five prescriptions, that means on a $400 drug bill they would save $15 a month. That does not help a senior choose between buying their medicine, buying their groceries, paying their light bill and paying their rent.

Thank God when we created Medicare we did not say here is a discount card, go cut a deal at the local doctor or go cut a deal for whatever surgery someone needed. We provided them a meaningful health care benefit, and it is time we did the same when it comes to their medicine.

I am pleased to be joined by another one of my colleagues here this evening, and at this time I yield to my friend and colleague, the gentleman from Texas (Mr. LAMPSON).

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

I have been listening to the comments that he has been making and the gentleman from New Jersey (Mr. PALLONE) and all of the work that he has done about this. I think it is obviously an extremely critical issue for citizens all over this country who are speaking out at every meeting that I go to as it being one of the most important things in their lives.

We have been working on some mechanism to assist people to get access to pharmaceuticals that they cannot afford to purchase for a long time, and we have heard unbelievable stories about people who have foregone payment of rent or purchase of food in order to buy the medicines that their doctors and other health care professionals are telling them that they have to have in order to stay healthy. Well, if a person does not eat and they do not have a decent place in which to stay and they are buying medicine, the chances are they are going to have other kinds of problems in their life, and it is a terrible decision to have to make.

I know firsthand what some of those difficulties are. My own mother is 92 years old and is in reasonably good health right now, but unfortunately, has had problems like many elderly citizens have. She has people to help take care of her. Hopefully, she is not going to be one of those who will die in poverty, but at the same time, she expects dignity, and I think that is one of the most important things that I learned in the White House Conference on Aging a number of years ago in 1995, that people would like to be able to live out their lives with independence and with dignity.

We are going to be judged in this country and everywhere in the world about how we treat our elderly, and the youngest of us among us, but the elderly particularly, and if we wad our people up and throw them away after they are no longer productive, shame on us, and we will be paying for that for an eternity, and I certainly hope that we do not.

We need what the drug companies do for us. We need their research. We need their development. We need the ability to stay healthy, and we know they are going to be providing it. I think it is incumbent upon this House of Representatives, this government, to find a mechanism to allow people to have access to that help that they need, and our program that works through the Medicare system will give people an opportunity to have a higher quality of health and consequently a longer life because of it.

It reaches out to a significantly larger number of people than what other plans that are before the House of Representatives are doing. I think that the basic difference, at least in the way of my mind, in how we see this issue is how we are going to go about implementing this program.

I know that our time is short. Let me turn it back to the gentleman from Arkansas (Mr. ROSS).

Mr. ROSS. Mr. Speaker, I would like to thank the gentleman from Texas (Mr. LAMPSON), my friend and colleague, and my friend and colleague, the gentleman from New Jersey (Mr. PALLONE), for coming over and spending the last hour with me as we talk about the differences, and that is what makes our democracy so great, that we are able to sit here in a democracy, stand here in a democracy in our Nation's capital and talk about the differences in the Democratic and Republican plan to offer a prescription drug benefit for seniors.

I would just close by simply encouraging my colleagues to go back home to their districts this weekend, stop by as many local pharmacies as my colleagues want to, chain pharmacies, any kind of pharmacy they want to go to, does not matter if it is home-owned or

if it is a chain, stop and talk to a pharmacist. I do not know if they are a Democrat or a Republican, show them what is included in the Republican plan, show them what is included in the Democratic plan, and every single time I can assure my colleagues they are going to tell them that the Republican plan must have been written by the big drug manufacturers and that the Democratic plan must have been written by our seniors.

Do not take our word for it. Regardless of my colleagues' party affiliation, go talk to the hometown family pharmacist. Talk to the pharmacist. Ask them who is right on this issue.

RECESS

The SPEAKER pro tempore (Mr. KENNEDY of Minnesota). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 5 o'clock and 24 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1804

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 6 o'clock and 4 minutes p.m.

REPORT ON RESOLUTION RELATING TO CONSIDERATION OF SENATE AMENDMENT TO H.R. 3009, TRADE ACT OF 2002

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 107–518) on the resolution (H. Res. 450) relating to consideration of the Senate amendment to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LINDER (at the request of Mr. ARMEY) for today until 2:00 p.m. on account of qualifying for the Georgia congressional ballot.

Mr. MCHUGH (at the request of Mr. ARMEY) for today until 3:00 p.m. on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCNULTY) to revise and extend their remarks and include extraneous material:)

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Ms. HOOLEY of Oregon, for 5 minutes, today.

Ms. ROYBAL-ALLARD, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. BROWN of Florida, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

(The following Members (at the request of Mr. ISAKSON) to revise and extend their remarks and include extraneous material:)

Mr. ISAKSON, for 5 minutes, today.

Mr. BASS, for 5 minutes, today.

Mr. FRELINGHUYSEN, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. ENGEL, for 5 minutes, today.

Ms. LOFGREN, for 5 minutes, today.

Mrs. JONES of Ohio, for 5 minutes, today.

ADJOURNMENT

Mr. REYNOLDS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 5 minutes p.m.), the House adjourned until tomorrow, Thursday, June 20, 2002, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7463. A letter from the Deputy Secretary, Department of Defense, transmitting notification that the Department of the Air Force intends to award a multiyear contract for C-17 aircraft to the Boeing Company in FY 2003, pursuant to 10 U.S.C. 2306b(i)(1)(A); to the Committee on Armed Services.

7464. A letter from the Director, International Cooperation, Department of Defense, transmitting the Department's 2002 report entitled ''International Cooperative Research and Development Program,'' pursuant to 10 U.S.C. 2350a; to the Committee on Armed Services.

7465. A letter from the Under Secretary, Department of Defense, transmitting the Department's five-year plan for the manufacturing technology (ManTech) program, as required by subsection 2521 (e) of title 10 of the United States Code; to the Committee on Armed Services.

7466. A letter from the Principal Deputy, Office of the Assistant Secretary, Department of Defense, transmitting the National Guard ChalleNGe Program Annual Report for Fiscal Year 2001, required under section 509(k) of title 32, United States Code; to the Committee on Armed Services.

7467. A letter from the Under Secretary, Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's report on Fiscal Year 2001 Funds Obligated in Support of the Procurement of a Vaccine for the Biological Agent Anthrax; to the Committee on Armed Services.

7468. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; NAFTA Procurement Threshold [DFARS Case 2002-D007] received May 21, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7469. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the annual report to Congress outlining observed trends in the cost and availability of retail banking services; to the Committee on Financial Services.

7470. A letter from the Managing Director, Federal Housing Finance Board, transmitting the Board's final rule — Affordable Housing Program Amendments [No. 2002-15] (RIN: 3069-AB14) received May 21, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7471. A letter from the Managing Director, Federal Housing Finance Board, transmitting the Board's final rule — Office of Finance Board of Directors Meetings [No. 2002-16] (RIN: 3069-AB15) received May 24, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7472. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the second annual Trafficking in Persons Report; to the Committee on International Relations.

7473. A letter from the Deputy Chief Counsel, Department of the Treasury, transmitting the Department's final rule — Western Balkans Transactions Regulations — received May 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

7474. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the report required by the United States-Hong Kong Policy Act of 1992 describing the current conditions in Hong Kong of interest to the United States as of March 31, 2002; to the Committee on International Relations.

7475. A letter from the White House Liaison, Department of the Treasury, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7476. A letter from the Chairman, National Mediation Board, transmitting the FY 2001 report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

7477. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule — Brokerage Loans and Lines of Credit [Notice 2002-8] received May 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

7478. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Oklahoma Regulatory Program [OK-029-FOR] received May 21, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7479. A letter from the Director, Office of Government Ethics, transmitting the Office's final rule — Technical Amendments to Qualified Trust Model Certificates Privacy and Paperwork Notices (RIN: 3209-AA00) received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7480. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF6-80A, CF6-80C2, and CF6-80E1 Series

Turbofan Engines [Docket No. 98-ANE-49-AD; Amendment 39-12707; AD 2002-07-12] (RIN: 2120-AA64) received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7481. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A319, A320, A321, A330, and A340 Series Airplanes Equipped With Certain Thales Avionics Digital Distance and Radio Magnetic Indicators (DDRMIs) [Docket No. 2002-NM-80-AD, Amendment 39-12724; AD 2002-06-53] (RIN: 2120-AA64) received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7482. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-9-31 Airplane [Docket No. 2002-NM-37-AD; Amendment 39-12717; AD 2002-08-09] (RIN: 2120-AA64) received May 17, 2002; to the Committee on Transportation and Infrastructure.

7483. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737- 600, -700, and -700C Series Airplanes [Docket No. 2002-NM-109-AD; Amendment 39-12727; AD 2002-08-52] (RIN: 2120-AA64) received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7484. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company GE90 Series Turbofan Engines; Correction [Docket No. 98-ANE-39-AD; Amendment 39-12668; AD 2002-04-11] (RIN: 2120-AA64) received May 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7485. A letter from the Trial Attorney, FRA, Department of Transportation, transmitting the Department's final rule — Control of Alcohol and Drug Use: Changes To Conform to New DOT Transportation Workplace Testing Procedures [Docket No. FRA 2000-8583; Notice 49] (RIN: 2130-AB43) received June 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7486. A letter from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting the Department's final rule — Technical Amendment to the Customs Regulations: Reusable Shipping Devices Arriving From Canada and Mexico [T.D. 02-28] received May 20, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7487. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Appeals Settlement Guidelines Construction/Real Estate Industry — received May 20, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7488. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Paul Pekar v. Commissioner [T.C. Dkt. No. 15289-97] received May 20, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7489. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Notice and Opportunity for Hearing before Levy [TD 8980] (RIN: 1545-AW90) received May 20, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7490. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Prohibited Transactions — Proposed Class Exemption and the Voluntary Fiduciary Correction Program (Announcement 2002-31) received May 21, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7491. A letter from the Assistant Secretary, Department of Defense, transmitting notification that the proposed plan for the U.S. Army Communications — Electronics Command (CECOM) Research, Development, and Engineering Community (RDEC), have been approved under authority of the National Defense Authority Acts for Fiscal Years 1995 and 2001; jointly to the Committees on Armed Services and Government Reform.

7492. A letter from the Assistant Secretary, Department of Defense, transmitting notification of an approved proposal for the U.S. Army Tank-automotive and Armaments Command (TACOM), under authority of the National Defense Authorization Acts for Fiscal Years 1995 and 2001, pursuant to 5 U.S.C. 4703(b)(4)(B); jointly to the Committees on Armed Services and Government Reform.

7493. A letter from the Controller, Office of Management and Budget, transmitting recommendations for Statutory and Administrative Changes Under the Federal Financial Assistance Management Improvement Act of 1999; jointly to the Committees on Government Reform, Ways and Means, Resources, and Financial Services.

7494. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the Aquatic Resources Trust Fund annual report and the Oil Spill Liability Trust Fund annual report, pursuant to 26 U.S.C. 9602(a); jointly to the Committees on Ways and Means, Energy and Commerce, Transportation and Infrastructure, Education and the Workforce, Resources, and Agriculture.

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. REYNOLDS: Committee on Rules. House Resolution 450. Resolution relating to consideration of the Senate amendment to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes (Rept. 107–518). 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. TAUZIN:

H.R. 4961. A bill to establish a National Bipartisan Commission on the Future of Medicaid; to the Committee on Energy and Commerce.

By Mr. TAUZIN:

H.R. 4962. A bill to amend title XVIII of the Social Security Act to make rural health care improvements under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOYER (for himself, Mr. WICKER, Mr. SERRANO, Mr. DINGELL, Mr. HINCHEY, Ms. DELAURO, Mr. HALL of Ohio, Mr. KENNEDY of Rhode Island, Mr. OXLEY, Mr. CUNNINGHAM, Mr. MCNULTY, Mr. PICKERING, Mr. HORN, Mr. DOGGETT, and Mr. BARTON of Texas):

H.R. 4963. A bill to provide for the expansion and coordination of activities of the National Institutes of Health and the Centers for Disease Control and Prevention with respect to research and programs on cancer survivorship, and for other purposes; to the Committee on Energy and Commerce.

By Mr. STEARNS (for himself, Mr. HALL of Ohio, Mr. ARMEY, Mrs. MORELLA, Mr. LEWIS of Georgia, Ms. NORTON, Mrs. CLAYTON, Mr. PITTS, and Mr. QUINN):

H.R. 4964. A bill to authorize the Secretary of the Interior to establish a memorial to slavery, in the District of Columbia; to the Committee on Resources.

By Mr. CHABOT (for himself, Mr. SENSENBRENNER, Mr. BARCIA, Mr. HYDE, Mr. HALL of Texas, Mr. SMITH of New Jersey, Mr. OBERSTAR, Mrs. MYRICK, Mr. STUPAK, Ms. HART, Mr. MOLLOHAN, Mr. PORTMAN, and Mr. RAHALL):

H.R. 4965. A bill to prohibit the procedure commonly known as partial-birth abortion; to the Committee on the Judiciary.

By Mr. GILCHREST:

H.R. 4966. A bill to improve the conservation and management of coastal and ocean resources by reenacting and clarifying provisions of a reorganization plan authorizing the National Oceanic and Atmospheric Administration; to the Committee on Resources, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KOLBE (for himself, Mr. BONILLA, Mr. SKEEN, Mr. PASTOR, Mr. FILNER, and Mr. REYES):

H.R. 4967. A bill to establish new nonimmigrant classes for border commuter students; to the Committee on the Judiciary.

By Mr. CANNON (for himself, Mr. HANSEN, and Mr. MATHESON):

H.R. 4968. A bill to provide for the exchange of certain lands in Utah; to the Committee on Resources.

By Mr. THUNE (for himself and Ms. RIVERS):

H.R. 4969. A bill to authorize funding for the development, launch, and operation of a Synthetic Aperture Radar satellite in support of a national energy policy; to the Committee on Science, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 40: Mr. RANGEL.

H.R. 122: Mr. HOEKSTRA.

H.R. 257: Mr. WILSON of South Carolina and Mr. AKIN.

H.R. 267: Mr. RAMSTAD.

H.R. 321: Ms. MCCOLLUM, Mr. STARK, Ms. PELOSI, Mrs. MINK of Hawaii, Mr. KUCINICH, and Mr. CLAY.

H.R. 488: Mr. LARSON of Connecticut.

H.R. 498: Mr. ROGERS of Kentucky.

H.R. 699: Mr. WILSON of South Carolina.

H.R. 792: Mr. ISRAEL, Mrs. MCCARTHY of New York, and Mr. SWEENEY.

H.R. 950: Mr. TURNER.

H.R. 1038: Ms. MCCOLLUM, Mr. STARK, Ms. PELOSI, Mrs. MINK of Hawaii, Mr. KUCINICH, and Ms. SCHAKOWSKY.
H.R. 1184: Mr. ROSS.
H.R. 1186: Mr. CONYERS.
H.R. 1296: Mr. POMBO and Mr. PHELPS.
H.R. 1451: Mr. CLAY.
H.R. 1475: Mr. ISRAEL.
H.R. 1487: Mr. DAVIS of Illinois.
H.R. 1494: Ms. KILPATRICK.
H.R. 1733: Mr. LATOURETTE and Mr. SCOTT.
H.R. 1811: Mr. WHITFIELD and Mr. FROST.
H.R. 1864: Mr. ENGEL.
H.R. 1962: Mr. CLAY.
H.R. 2117: Mr. PETERSON of Minnesota, Mr. HONDA, Mr. UDALL of Colorado, and Mr. ISRAEL.
H.R. 2118: Mr. SANDERS.
H.R. 2173: Mr. DEUTSCH.
H.R. 2219: Mr. TERRY.
H.R. 2284: Mr. HINCHEY.
H.R. 2364: Ms. RIVERS.
H.R. 2466: Mr. WELDON of Florida.
H.R. 2490: Mr. TIBERI.
H.R. 2521: Mrs. MORELLA.
H.R. 2570: Ms. SLAUGHTER and Mr. DEUTSCH.
H.R. 2974: Mr. HALL of Ohio.
H.R. 3006: Mr. BURTON of Indiana and Mr. KENNEDY of Minnesota.
H.R. 3034: Mr. SERRANO and Ms. WATSON.
H.R. 3109: Mr. THOMPSON of Mississippi, Mr. SCHIFF, Ms. MILLENDER-MCDONALD, and Mr. EVANS.
H.R. 3132: Mr. FOLEY, Mr. QUINN, Mrs. NAPOLITANO, Mr. MALONEY of Connecticut, Ms. ROS-LEHTINEN, Mr. CUMMINGS, Mr. LUCAS of Kentucky, Mr. TOM DAVIS of Virginia, Mrs. DAVIS of California, Mrs. MEEK of Florida, Ms. WOOLSEY, Ms. ROYBAL-ALLARD, and Ms. PELOSI.
H.R. 3185: Mr. ISRAEL.
H.R. 3192: Mr. FARR of California.
H.R. 3388: Mr. WOLF.
H.R. 3464: Mr. HINCHEY.
H.R. 3469: Mr. TIERNEY, Ms. MCCOLLUM, Mr. BACA, and Mrs. TAUSCHER.
H.R. 3496: Mr. KING.
H.R. 3585: Mr. BENTSEN.
H.R. 3630: Mr. BOYD, Ms. BROWN of Florida, Mr. DIAZ-BALART, and Mrs. THURMAN.
H.R. 3673: Mr. SANDERS.
H.R. 3686: Mrs. MYRICK and Mr. HALL of Texas.
H.R. 3747: Ms. PELOSI.
H.R. 3771: Mr. MALONEY of Connecticut, Mr. MCGOVERN, Mr. HOLDEN, and Mr. SWEENEY.
H.R. 3814: Mr. THOMPSON of Mississippi and Mr. LAMPSON.
H.R. 3831: Mr. BONIOR and Mr. FORD.
H.R. 3834: Mr. BISHOP, Mr. WICKER, Mr. HOLDEN, Mr. KUCINICH, Mr. CALLAHAN, Mr. RODRIGUEZ, and Ms. KAPTUR.
H.R. 3880: Mr. ISRAEL and Mr. MCNULTY.
H.R. 3884: Mr. ALLEN, Mr. BONIOR, Mr. KIND, Ms. BERKLEY, Mr. HOLDEN, Mr. JACKSON of Illinois, Mr. PALLONE, and Mr. KILDEE.
H.R. 3973: Mr. WATTS of Oklahoma, Mr. GIBBONS, Mr. JENKINS, Mr. SCHIFF, Mr. GREEN of Texas, Mr. POMEROY, and Mr. REYES.
H.R. 3995: Mr. CASTLE and Mr. SCHAFFER.
H.R. 4013: Mr. LEVIN, Mr. DEUTSCH, Ms. CARSON of Indiana, and Mr. SANDERS.
H.R. 4014: Ms. CARSON of Indiana and Mr. SANDERS.
H.R. 4018: Mr. PLATTS.
H.R. 4026: Mr. TIAHRT, Mr. HERGER, Mr. RYUN of Kansas, Mr. SAM JOHNSON of Texas, Mr. HOSTETTLER, Mr. JONES of North Carolina, Mr. SHADEGG, and Mr. WATTS of Oklahoma.
H.R. 4032: Mr. BISHOP, Mr. BLAGOJEVICH, Mr. SERRANO, and Mr. MORAN of Virginia.
H.R. 4042: Mr. JEFF MILLER of Florida.
H.R. 4043: Mr. SAM JOHNSON of Texas.
H.R. 4066: Mr. HILL.
H.R. 4122: Mr. SCHAFFER.
H.R. 4205: Mr. GUTIERREZ and Ms. BALDWIN.
H.R. 4256: Mr. PICKERING.
H.R. 4483: Mr. SCHAFFER, Mr. TANCREDO, Mr. ETHERIDGE, Mr. CARSON of Oklahoma, and Mr. EVANS.
H.R. 4582: Mr. BISHOP and Mr. OSBORNE.
H.R. 4600: Mr. CANTOR, Mr. CHABOT, Mr. GRAVES, and Mr. ISAKSON.
H.R. 4601: Mr. BLUMENAUER, Mr. WU, Ms. HOOLEY of Oregon, and Mr. WALDEN of Oregon.
H.R. 4622: Mrs. CUBIN.
H.R. 4623: Mr. BARR of Georgia, Mr. WICKER, Mr. STUPAK, Mr. WILSON of South Carolina, Mr. MOORE, Mr. DEAL of Georgia, and Mr. JONES of North Carolina.
H.R. 4635: Mr. TURNER.
H.R. 4643: Ms. RIVERS and Mr. PAUL.
H.R. 4665: Mr. SANDERS and Mr. BACA.
H.R. 4667: Mr. BACA.
H.R. 4738: Mr. BLUNT.
H.R. 4742: Mr. RODRIGUEZ.
H.R. 4743: Mr. SANDERS, Ms. NORTON, and Ms. MILLENDER-MCDONALD.
H.R. 4785: Mr. ROGERS of Michigan.
H.R. 4795: Mr. HANSEN and Mr. SMITH of Michigan.
H.R. 4803: Mr. ETHERIDGE, Mr. DOOLEY of California, Ms. MCCARTHY of Missouri, Mr. MORAN of Virginia, and Mr. FARR of California.
H.R. 4810: Mr. LEVIN.
H.R. 4837: Mr. HINOJOSA.
H.R. 4843: Ms. BALDWIN, Mr. PHELPS, Mr. HAYES, and Mr. LAHOOD.
H.R. 4851: Mr. ISTOOK.
H.R. 4854: Mr. DAVIS of Illinois and Ms. MCCOLLUM.
H.R. 4864: Mr. PENCE, Mr. KELLER, Mr. SCHIFF, Mr. GALLEGLY, Ms. BALDWIN, and Mr. GREEN of Wisconsin.
H.R. 4865: Mr. COSTELLO and Mr. ROEMER.
H.R. 4916: Ms. MCCARTHY of Missouri, Ms. MCKINNEY, Mr. BISHOP, Mr. BAIRD, Mr. FARR of California, Mr. SERRANO, Mr. JACKSON of Illinois, Ms. KAPTUR, and Ms. KILPATRICK.
H.R. 4937: Mr. HONDA, Mr. FILNER, and Mr. TOWNS.
H.R. 4950: Mr. WILSON of South Carolina and Mr. BLUNT.
H.R. 4954: Mr. THOMAS, Mr. TAUZIN, Mr. SHAW, Mr. UPTON, Ms. DUNN, Mr. GREENWOOD, Mr. PORTMAN, Mr. PICKERING, Mr. ENGLISH, Mr. BRYANT, Mr. WELLER, Mr. BASS, Mr. MCINNIS, Mr. WALDEN of Oregon, Mr. RYAN of Wisconsin, Mr. TERRY, Mr. FLETCHER, Mr. BOOZMAN, Mr. CRENSHAW, Mrs. JO ANN DAVIS of Virginia, Mr. KELLER, Mr. KENNEDY of Minnesota, Mr. GOSS, Mr. SIMMONS, and Mr. SULLIVAN.
H.J. Res. 23: Mr. KENNEDY of Minnesota.
H.J. Res. 31: Mr. GEORGE MILLER of California.
H. Con. Res. 99: Mr. RUSH, Mr. BALDACCI, Mr. UDALL of New Mexico, Mr. CLYBURN, and Mr. JEFFERSON.
H. Con. Res. 345: Mr. SCHAFFER.
H. Con. Res. 355: Mr. PASCRELL.
H. Con. Res. 408: Mr. CARDIN and Mr. BLUMENAUER.
H. Res. 436: Ms. MILLENDER-MCDONALD.

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: Ms. CARSON of Indiana.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148 WASHINGTON, WEDNESDAY, JUNE 19, 2002 No. 82

Senate

The Senate met at 10 a.m. and was called to order by the Honorable HARRY REID, a Senator from the State of Nevada.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

The psalmist expresses our deepest longing this morning, ''Let the words of my mouth and the meditation of my heart be acceptable in Your sight, O Lord, my strength and my Redeemer.''—Psalm 19:14. Let us pray.

Gracious God, You have shown us that the meditation of our hearts and the reflection of our inner being often affect our spoken words. It's true of our prayers: muddled thinking about You results in halting prayers. The connection of the meditation of our hearts and the words of our mouths is manifested in our human relationships: what we think about others affects what we say to them. Also, our prayerful meditation about issues and the application of our beliefs and values impact how we express our convictions and how we cast our votes. Often, what we think speaks so loudly in our attitudes that others can't hear what we say.

So, Lord, we pray that the meditation of our hearts will reflect Your justice and mercy and what we say will articulate Your truth and righteousness. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable HARRY REID led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 19, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HARRY REID, a Senator from the State of Nevada, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. REID thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 11 a.m., with Senators permitted to speak for up to 10 minutes each.

Under the previous order, the first half of the time shall be under the control of the majority leader or his designee.

Under the previous order, the time until 11 a.m.—that is, from 10:30 to 11—shall be under the control of the Republican leader or his designee.

Who seeks recognition?

The Senator from Illinois is recognized.

ORDER OF BUSINESS

Mr. DURBIN. Mr. President, it is my understanding the first hour, if I am not mistaken——

The ACTING PRESIDENT pro tempore. The first half-hour is under the control of the Democrats.

Mr. DURBIN. I know the Senator from New Jersey is going to seek recognition. I see the Senator from Pennsylvania is in the Chamber. I do not know if he is seeking recognition this morning. I would certainly like to accommodate him if he is going to make a request for a reasonable period of time.

Mr. SPECTER. Mr. President, I thank my colleague from Illinois. I would very much appreciate an opportunity to speak for 5 minutes, if I might, at some early point.

Mr. DURBIN. I am happy to extend that courtesy to my colleague from Pennsylvania.

The ACTING PRESIDENT pro tempore. Under the order, the 5 minutes of the Republican time will be used at this time; is that it?

Mr. DURBIN. That is correct.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, first, I thank the Senator from Illinois for according me this courtesy.

PROPOSED RULE FOR THE REPUBLICAN CONFERENCE

Mr. SPECTER. Mr. President, I have sought recognition to discuss, briefly, a proposed rule for the Republican conference on the issue of seniority for members, chairmanships, and also for ranking members.

Effective January 1, 1997, the Republican caucus adopted a rule which provided that there would be a 6-year limit on committee chairmanships and ranking members; chairmanships, of course, if in the majority, ranking members if in the minority.

There has since arisen a controversy as to whether that meant 6 years as chairman and an additional 6 years as ranking member or whether that meant 6 years total for chairman and ranking member.

Having participated in the conference which produced the rule, I think it is fair to say that the intent was to have a total 6-year limitation,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

chairman and ranking member combined.

Certainly, there is no doubt that in establishing a 6-year limit for every leadership position in the Republican caucus, except for the position of Republican leader—majority leader or minority leader, depending on control of the Senate—aside from Senator LOTT's position, it is plain that all the other leadership positions were limited to a total of 6 years, without distinction as to whether it was a majority or minority position.

The chairman of the conference, Senator SANTORUM, came out with an interpretation that the rule did mean total years whether it was chairman or ranking member; not 6 and 6, but a total of 6 years.

Yesterday, I circulated a proposed rule which would make it conclusive that a Republican Senator shall be limited to 6 years in the aggregate for service as chairman and ranking member of a committee. For example, if the Senator served 4½ years as chairman and 1½ years as ranking, that would constitute the requisite 6-year limit.

There has been some consideration as to whether being ranking is really a position of significance. I would submit from my experience in this body that it conclusively is not as good as being chairman, but it is the lead Republican on the committee.

For example, on Intelligence, the chairman and the ranking member, or vice chairman, have access to the confidential briefings. On the Judiciary Committee, the chairman and the ranking member have access to the confidential briefings by the Attorney General when something arises where notification is important, or by the FBI Director or by the INS Director or any one of the Federal agencies subject to oversight by the Judiciary Committee.

At the committee hearings, it is the chairman and the ranking member who are accorded the right, the privilege, of making opening statements. There is a considerable difference on staff, and the ranking member does have a say, to a significant extent, on the organization and direction of the committee. So I think, as a practical matter, being ranking is very significant.

Some of my colleagues have raised the concern that if they served as ranking for a year, for example, they would then not be able to serve as chairman for 6 years—if we Republicans retook the majority—but for only 5 years.

So my rule has a subsection which provides that if a person who has seniority to be ranking member elects not to be ranking member, that person may do so; and then that would not count against the 6 years as chairman if and when the Republicans again control of the Senate.

So for those who think the position of ranking member is not of significance, or choose not to undertake that position, or prefer not to have that position, which would then be a limitation on their service as chairman, that member can opt not to serve as ranking member.

When this rule was proposed, I had grave doubts about it, frankly, having been here for a considerable period of time, and approaching the situation where I would have the seniority. But as the rule was put into effect, obviously, I have observed it.

As a part of the rule, I could no longer serve as chairman of the Judiciary Committee. But it seems to me the Republican caucus ought to go back to where we—Madam President, I ask unanimous consent for an additional 1 minute.

The PRESIDING OFFICER (Mrs. CLINTON). Is there objection?

Without objection, it is so ordered. An additional 1 minute is granted.

Mr. SPECTER. In conclusion—the two most popular words of any speech—I think it is a fair assessment that what was intended was 6 years in total. That was the interpretation, to repeat, which the chairman of the Republican Conference, Senator SANTORUM, had made by an official interpretation.

The rule I am proposing, which will be voted on next Tuesday—I had each member of the Republican caucus served with notice, both having it delivered to their offices yesterday and having a copy served on each one of the desks here so there is a double service of notice—would provide for a 6-year maximum limitation, having provided the leeway for a Member not to serve as ranking, if he chose to follow that course, so as to have the full 6 years as chairman, if and when the Republicans are the majority party.

I, again, thank my colleagues. I thank the Senator from New Jersey for his patience, and I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

SOCIAL SECURITY

Mr. CORZINE. Madam President, I appreciate this opportunity to, once again, speak on a topic I believe needs to be debated fully in front of the American public and before this fall's elections. That topic is Social Security and the proposals circulating with regard to privatization of Social Security and the reduction in guaranteed benefits for future generations.

Yesterday two of our Nation's top experts on Social Security issued a thoughtful and detailed new study on the recommendations of the Bush Social Security Commission to privatize Social Security. The report was prepared by Dr. Peter Orszag of the Brookings Institution and Dr. Peter Diamond of the Massachusetts Institute of Technology, who is the incoming president of the American Economic Association—two credible, thoughtful researchers who bring objectivity to their work in this area.

The report by Drs. Orszag and Diamond objectively confirmed what I and many Democrats in the House and Senate have been trying to say on a regular basis on the floor for some time: The Bush Social Security Commission has developed privatization plans that would force deep cuts in guaranteed benefits. Those cuts for many current workers could exceed 25 percent and for some future retirees up to 45 percent.

These cuts would apply to everyone, even those who choose not to risk their benefits in privatized accounts. Cuts would be even deeper for those who do invest in privatized accounts. In fact, actual cuts are likely to be deeper than current estimates, as the Commission's plans depend on substantial infusions of revenues from the General Treasury.

Given the current state of our Federal budgetary policies, it is pretty hard to expect that we will put $2.5 to $3 trillion into the Social Security fund from the general revenues over the next 40 years or so, with the major demands we have on our general revenues.

Remember, what we actually will be doing is spending Social Security trust fund moneys for those general purposes, as opposed to infusing money into the Social Security trust fund.

This year we will run roughly a $300 billion deficit, if you include expenditures out of the Social Security trust fund, taking every penny of that to spend on other things, some quite responsible with regard to national security and homeland security. The fact is, we are using Social Security funds for everything but Social Security.

With respect to the basic elements of the Orszag and Diamond report, they spell out in great detail all of the cuts in guaranteed benefits. I urge my colleagues to take a look at it. This is not just political rhetoric. This is about the facts of what this Commission's report is proposing. It is noteworthy. In fact, it is newsworthy.

The New York Times today—and I will include the article for the RECORD—gives a good summary of the report and relates the fact that guaranteed benefits are going to be cut if we follow the propositions included in that report.

First, the Orszag and Diamond report provides a lot of detail about how these deep benefit cuts will come about. It finds that, even if you add income that can be derived from the privatized accounts, many seniors would be substantially worse off under the Bush Commission plans than under current law.

Let me repeat that, because this is one of the arguments I hear coming back all the time when we talk about Social Security. Even if you add the income that can be derived from privatized accounts, many seniors would be substantially worse off under the Bush Commission plans than the current system.

Take, for example, a two-earner couple who claims benefits at age 65 in 2075. Their guaranteed benefits would be reduced by 46 percent. Since the

whole point of Social Security is to provide guaranteed benefits, this 46-percent cut is what actually matters. They go through the detail of itemizing how you get to that, but that is the bottom line. There is no argument with the numbers. In fact, they are verified by the Social Security actuaries themselves in the Bush Commission report.

Having said that, I recognize it is possible that cuts in guaranteed benefits will be offset in some part by income from privatized accounts. It is possible, but it may not even be likely. The Orszag-Diamond report actually makes that quite clear.

As their report explains, if you go back to the couple whose guaranteed benefits would be cut by 46 percent and use assumptions adopted by the Social Security Administration, this couple, on average, would be able to offset about a quarter of their benefits with income from an annuity purchased with the proceeds from their privatized account. However, if my arithmetic is right, that still leaves them with a 21-percent cut in benefits compared to current law.

This 21-percent net cut in benefits is not the end of the story because projected income from privatized accounts also comes from increased risk. In the world I came from, we used to assign probabilities about whether events would happen. It is called the risk-adjusted view of what returns would be. These alternative proposals are not guaranteed. They are not locked in. Sometimes they can be great; sometimes they can be poor. Markets move sideways for long periods of time. Sometimes they go up; sometimes they go down.

Not only are you getting real cuts that the Orszag-Diamond report itemizes, but you are also taking on the risk with these privatized accounts that you won't have the resources to buy that actuarially presumed annuity that is going to make up for those benefits.

After all, the promise of a dollar backed by the full faith and credit of the U.S. Government in your Social Security is a lot better than those risk-adjusted returns in the stock market. That is what the American people are looking for.

Drs. Orszag and Diamond decided to make such an adjustment using the risk adjustment approach as advocated by the Bush Office of Management and Budget so they could actually make these things on comparisons that are real. They found, if you adjust those benefits, as I suggested, for the levels of risk, the same two-couple wage earner would face a 40-percent cut in benefits. That is using these statistical adjustments that are reasonable.

Madam President, this puts the lie to those who claim it is worth cutting guaranteed benefits in return for a gamble in the stock market. It just doesn't work out. The truth is, even using the assumptions of the administration, privatized accounts are a risky, bad deal and are not likely to compensate for the deep cuts in guaranteed benefits they would require.

The next point I want to bring out from this Orszag-Diamond study relates to one of the assumptions of the Bush Social Security Commission—the assumption of large infusions of general revenues from the rest of the budget. They suggest you put that in conjunction with where we are in our budgetary status in the country today, and we have trouble to start with just on a fundamental basis. But the Orszag-Diamond report finds that under model 3—there are three different models the Commission talks about—the present value of the general revenue transfers in 2001 dollars, to flush up the Social Security trust fund and make it actuarially sound, is $2.8 trillion. That is a lot of dough. I have a hard time even understanding what $2.8 trillion is, but I don't think we have that kind of money laying around in our general revenues.

If you protect disabled individuals from cuts, since they generally cannot work and make contributions to privatized accounts, you would need $3.1 trillion in general revenues. The totals for model 2 are almost as high.

Madam President, $3.1 trillion is such a huge number that I am sure many Americans don't have an idea of what that really means. But it is almost as large as the entire publicly held debt we have, which we have accumulated over 225 years, which is now $3.4 trillion. In fact, it is almost as large as the entire Social Security shortfall, which we are trying to correct in the first place, which is $3.7 trillion over the next 75 years.

In other words, if we really will have $3.1 trillion in extra general revenues sitting around doing nothing, we could solve this Social Security problem just flatout. We would not have to move to privatization, or adding risk adjustments to individual accounts to try to get this done; and certainly we would not have to move to these kinds of significant cuts in benefits that are proposed in the commission's suggestions.

That sounds pretty good and pretty easy, but is it realistic to assume that we would have that extra $3.1 trillion just available to subsidize privatized accounts? The Bush commission obviously thinks so. But they are hard pressed to find many others who would agree. In fact, now that the Bush tax cuts have been enacted, which by themselves will cost $8.7 trillion in that same period, we are now looking at projections of deficits for years to come.

So long as those tax breaks remain in place, the Commission's assumption of large general revenue transfers is pretty much in the world of fantasy.

Another point made by the Orszag-Diamond study is that the privatized accounts proposed by the Commission don't just drain money from the Social Security trust fund over the next 75 years; they drain the trust fund permanently. This may surprise some people who think privatization would involve some short-term transition costs.

We often hear about a $1 trillion transition cost. But the fact is that these drains are self-sustaining because they have created a program that subsidizes these personal accounts, these privatized accounts.

The Orszag-Diamond report makes this clear. This should come as no surprise when you remember that people are trading a risk account for one that is guaranteed. So they are going to have to do something to encourage people to do that, and they are draining money from the Social Security trust fund to encourage making that happen. I think that is very dangerous. I really do believe it is a misrepresentation of how this whole process works. I think the study makes this very clear in very detailed, objective language.

Finally, I want to highlight the Orszag-Diamond study's conclusions about the depth of the cuts that would be required in benefits for the disabled and for family members who survive the loss of a loved one because these would be especially severe. There would be little recourse for most victims of these cuts.

According to the Orszag-Diamond report, disabled individuals would face cuts of up to 48 percent by 2075. These same reductions would apply to the younger children of workers who die prematurely.

These are the cuts that would apply to all beneficiaries, even those who do not risk their benefits in privatized accounts. So I think it is important the American people understand that this isn't just political rhetoric. We have an objective study using the numbers of the Social Security actuaries to show that we are talking about real cuts, real cuts in guaranteed benefits, and that we are subsidizing privatized personal accounts to try to encourage something that is going to require a huge infusion of general revenues from the general accounts of the Government. Where that will come from is a mystery to me and to most who look at it.

So I think we have a real serious cause for debate in front of this election this fall to make sure that people understand what they are buying into if we go to this Social Security privatization scheme. Personally, I think it is a disaster for our country.

I hope, as do the 50 Members of this body who wrote a letter to the President last week urging him to publicly reject these cuts in guaranteed Social Security benefits, we can have this debate before this election so that when we bring this topic to the floor, it will be something the voters have expressed themselves on before we express ourselves. I think it is very productive that we have serious, thoughtful, objective evidence such as the Orszag-Diamond report to help bring light on this debate.

I am going to make sure my colleagues have a chance to review this,

make sure it is circulated. I thank my colleagues.

I ask unanimous consent that the executive summary of the Orszag-Diamond report and the New York Times article be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The New York Times, June 19, 2002]

REPORT PREDICTS DEEP BENEFIT CUTS UNDER BUSH SOCIAL SECURITY PLAN

(By Richard W. Stevenson)

WASHINGTON, June 18.—Opponents of President Bush's plan to create personal investment accounts within Social Security released a report today concluding that the administration's approach would lead to deep cuts in retirement benefits and still require trillions of dollars in additional financing to keep the system solvent.

The report, by Peter A. Diamond, an economics professor at the Massachusetts Institute of Technology, and Peter R. Orszag, a senior fellow at the Brookings Institution, is sure to provide material to Democrats for this fall's Congressional elections.

White House officials criticized the report as misleading or wrong. They said the report exaggerated the cuts in benefits by comparing them with what is available under current law, rather than with what the system could afford to pay if no changes were made to the system as the population ages in coming decades.

Without any changes, Social Security will start paying out more in benefits than it takes in from payroll tax revenues and interest starting in 2027, leaving it increasingly dependent on redeeming government bonds the system holds, according to the system's trustees. By 2041, Social Security would exhaust its ''trust fund'' of bonds, leaving it unable to pay full benefits.

The report concluded that under two of the commission's three proposals, monthly benefits for each member of a two-earner couple retiring at 65 in 2075 would be well below benefits promised under current law even after taking account of the returns from a personal investment account. The report did not analyze the commission's third proposal, which would not seek to restore the system's long-term solvency.

Under one of the commission's proposals, the report said, total benefits would be 10 percent below current-law benefits for low-income people, 21 percent below current-law benefits for middle-income people and 25 percent below current-law benefits for upper income people.

Under the other proposal, the reductions in total benefits would range from 21 percent to 27 percent, and would be even larger if adjusted for the risk of investing in the stock market, the report said. The benefit reductions would be smaller for people who reach retirement age in the next three or four decades.

Charles P. Blahous, executive director of the president's commission, said the study ''appears to have been deliberately constructed to bias the discussion against proposals that include personal accounts.''

Mr. Blahous cited calculations showing that in most cases retirees would receive larger benefits under the commission's proposals than the current system can actually afford to pay, and that in some cases beneficiaries would do as well as or better than the current system promises.

THE CENTURY FOUNDATION, NEW YORK, NY; CENTER ON BUDGET AND POLICY PRIORITIES, WASHINGTON, D.C.

June 18, 2002.

SOCIAL SECURITY COMMISSION PLANS WOULD ENTAIL SUBSTANTIAL BENEFIT REDUCTIONS AND LARGE SUBSIDIES FOR PRIVATE ACCOUNTS

NEW STUDY ANALYZES IMPLICATIONS OF COMMISSION PLANS FOR RETIREMENT BENEFITS, SOCIAL SECURITY FINANCING, AND THE BUDGET

The proposals that President Bush's Social Security Commission issued in December would substantially reduce benefits for future retirees and the disabled while requiring multi-trillion dollar transfers from the rest of the budget to finance private retirement accounts, according to a major new study coauthored by the incoming president of the American Economic Association and a Brookings Institution expert on the economics of retirement. The study is being published jointly by the Center on Budget and Policy Priorities and the Century Foundation; a more technical version of the study, also being released today, is available as a Brookings institution working paper on the Brookings website.

The study finds that the private accounts the Commission proposed would significantly worsen Social Security's financial position, both in the short-term and permanently, by drawing funds from Social Security to subsidize those who elect the private accounts. The Commission proposals are able to restore long-term solvency, the study shows, only through very large transfers of tax revenues from the rest of the budget to compensate for the losses the private accounts would cause Social Security to incure. Under these proposals, the rest of the American public would, through these revenues, be required to subsidize those who elect to participate in the private accounts.

The study by Peter A. Diamond, Institute Professor of Economics at the Massachusetts Institute of Technology, and Peter R. Orszag, Senior Fellow in Economics at the Brookings Institution, draws heavily on a technical analysis of the Commission's proposals by the Office of the Chief Actuary at the Social Security Administration. It is the first study to examine a variety of effects implied, but not directly stated, in the actuaries' analysis. The Diamond-Orszag study of the two Commission proposals that are designed to restore long-term Social Security solvency shows the Commission proposals contain three principal components.

First, the plans restore long-term balance to Social Security either solely (under one of the plans) or primarily (under the other plan) through Social Security benefit reductions. These benefit reductions would be large and would affect all beneficiaries, including disabled beneficiaries and those who do not elect private accounts.

Second, the plans would replace part of the scaled-back Social Security system that would remain with a system of private accounts. Those choosing the individual accounts would have some of their payroll taxes diverted from Social Security to the accounts; in return, their Social Security benefits would be reduced further. The amount that Social Security would lose because of the diversion of these payroll tax revenues would, on a permanent basis, exceed the additional Social Security benefit reductions to which these beneficiaries would be subject. In addition, the accounts would create a cash flow problem for Social Security because funds would be diverted from Social Security decades before a worker's Social Security benefits would be reduced in return. The private accounts consequently would push the Social Security Trust Fund back into insolvency and permanently worsen Social Security's financial condition.

To avoid insolvency and restore long-term balance, the plans' third component consists of the transfer of extremely large sums from the rest of the budget to make up for the losses that Social Security would bear because of the private accounts. The transfers would equal two-thirds of the entire existing Social Security deficit over the next 75 years under one of the Commission plans and 80 percent of the Social Security deficit under the other plan. (The second plan assumes additional transfers from the rest of the budget to reduce the magnitude of the Social Security benefit reductions it contains.)

The Diamond-Orszag study raises questions about where the trillion of dollars assumed to be transferred from the rest of the budget to offset the costs of the private accounts would come from, a matter on which the Commission is silent. Noting that virtually all budget forecasts show budget deficits outside Social Security for decades to come, with these deficits mounting as the baby boom generation retires—which means there are no surpluses outside Social Security to transfer—the study calls the Commission's reliance on large unspecified transfers from the rest of the budget a serious weakness of these plans. Financing the transfers would require large tax increases or deep cuts in other programs, but the Commission did not recommend any such changes.

Without the assumed transfers of trillions of dollars, the study shows, the Commission's numbers do not add up. ''The assumed transfers in the Commission's plans effectively constitute a large 'magic asterisk' that serves to mask the adverse financial impact of the individual accounts on Social Security solvency,'' the study reports.

BENEFIT REDUCTIONS

The study also examines the effects the Commission plans would have on the benefits that workers receive when they retire. It finds that those who do not opt for the individual accounts would face deep benefit reductions.

Under the Commission plan (identified by the Commission as ''Model 2''), workers aged 35 today who retire at age 65 in 2032 and do not choose the private accounts would have their Social Security benefits reduced 17 percent, compared to the benefits they would receive under the current benefit structure. Benefits would be reduced 41 percent for those born in 2001 who retire at age 65 in 2066.

As a result, the percentage of pre-retirement wages that Social Security replaces would decline substantially. For a two-earner couple with average earnings that retires at age 65 in any year after 2025, Social Security is scheduled to replace 36 percent of former earnings. Under the Commission's Model 2 plan, by contrast, Social Security would replace 30 percent of former earnings for such a couple that is 35 today and retires at age 65 in 2032, and just 22 percent of former earnings for a future couple composed of two individuals born in 2001 who retire in 2066. The study finds that under the Commission plans, the role of Social Security in allowing the elderly to maintain their standard of living in retirement would decline rather sharply over time.

EFFECTS ON THE DISABLED AND CHILDREN OF DECEASED WORKERS

Benefit reductions would be particularly severe for the disabled and the young children of workers who die.

For those who begin receiving disability benefits in 2050, Social Security benefits

would be reduced 33 percent under one of the Commission's proposals and 19 percent under the other. (The benefit reductions could be smaller under the latter plan because it assumes the transfer of additional sums from the rest of the budget.)

For those who begin receiving disability benefits in 2075, the benefit reductions would be 48 percent under one plan and 29 percent under the other.

Equivalent benefit reductions would apply to the young children of deceased workers.

These reductions would disproportionately harm African-Americans. Both the proportion of workers who are disabled and the proportion of young children whose parent or parents have died are higher among African-Americans than among the population as a whole.

Diamond and Orszag warn that the disabled and the children of deceased workers would have little ability to mitigate these severe benefit cuts with income from individual accounts, because many workers who become disabled would have had fewer work-years during which to contribute to private accounts, and also because the Commission plans would deny all workers—including the disabled—access to their accounts until they reach retirement age. The economists term the treatment of the disabled under the Commission plan as ''draconian.''

The Commission recognized its proposals would have such effects and stated it was not recommending these reductions in disability benefits. Diamond and Orszag show, however, that the Commission counted all of the savings from these disability benefit cuts to make its numbers add up. Without these benefits cuts, none of the Commission plans would restore long-term Social Security solvency (unless even larger transfers of revenue were made from the rest of the budget).

IMPACTS OF PRIVATE ACCOUNTS

The benefit reductions just described would apply to all beneficiaries, including both those who do not opt for private accounts and those who do. Workers who choose the private-account option would be subject to additional reductions in Social Security benefits, on top of the reductions that would apply to all beneficiaries, in return for the income they would receive from their accounts.

For retired workers who received a return on their account equal to the average expected return that the actuaries and the Commission have forecast, the total reduction in benefits (factoring in the income from individual accounts) would be smaller. But many such workers still would face benefit losses.

Under Model 2, a medium-earning couple that retired at age 65 in 2075 and received the average expected rate of return from a private account would receive a combined benefit—including a monthly annuity check from its account—that is about 20 percent below the benefit the couple would receive under the current Social Security benefit structure. Diamond and Orszag observe that given the large infusion of revenue from the rest of the budget under this plan, a 20 percent benefit reduction is quite substantial.

Moreover, if the stock market does not perform as well in future decades as the actuaries and the Commission have assumed, private accounts investments would do less well than figures suggest and the benefit reductions would be larger.

The study also explains that because of the risk associated with investing in stocks, analysts generally agree that in comparing returns from different types of investments, adjustments for risk must be made. If the approach to ''risk adjustment'' that the Office of Management and Budget recently used in an analogous situation is applied here, the combined benefits from Social Security and individual accounts for the medium-earning couple retiring in 2075 are estimated to be 40 percent lower than the Social Security benefits the couple would receive under the current benefit structure.

The study warns that the large, unspecified revenues the Commission counts on from the rest of the budget might not materialize. If they did not fully materialize and payroll taxes were not raised, the benefit reductions would have to be still larger under these plans. Failure to identify a source for these revenues leaves Social Security subject to a substantial risk that the funding would not materialize.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

STATUS OF OUR NUCLEAR INDUSTRY

Mr. MURKOWSKI. Madam President, I rise to speak today on the status of our nuclear industry in this country and the realization that it is time that the U.S. Senate resolve the question of what to do with the high-level waste that is generated by our nuclear reactors generating power throughout this Nation.

What would you think of the Federal Government's response to entering into a contract to take the high-level nuclear waste in 1998, and, 1998 having come and gone, the ratepayers who receive nuclear power into their homes have paid somewhere in the area of $11 billion to the Federal Government to take that waste in 1998?

As we all know, 1998 has come and gone. The sanctity of the contractual relationship between the Government and the nuclear industry, obviously, has been ignored by our Government. As a consequence, there is potential litigation—litigation that has arisen as a consequence of the nonfulfilling of the contractual arrangement that was entered into to take the waste. So, clearly, we have a responsibility that is long overdue.

Some people, relatively speaking, are inclined to ignore the contribution of the nuclear industry in our Nation. It provides our country with about 21 percent of the total power generation. It is clean energy. There are no emissions. The problems, of course, are what to do with the high-level waste.

Other nations have proceeded with technology. The French reprocess. They recover the plutonium from the almost-spent nuclear rods. They reinject plutonium into a mixture that is added into the reactors and, basically, burn as part of the process of generating energy.

The Japanese have proceeded with a similar technology. The rods, after they are taken out of the reactors, are basically clipped in the process of the centrifugal development, while the plutonium is recovered. It is mixed with enriched uranium, and it is put back in the reactors. The waste that does occur is basically stored in a glass form called vitrification.

We have chosen not to proceed with that type of technology, and I believe ultimately we will change our policy and, indeed, recover the high-level waste that is associated with the rods.

In any event, we are faced with the reality that we are derelict in responding to the contractual commitments into which we entered. We have before us a situation where this body is going to have to come to grips with the disposition of what to do with that waste.

The House has already acted. On June 6 of this year, the Senate Energy Committee, by a vote of 14 to 10, favorably reported S.J. Res. 34, which is the Yucca Mountain siting resolution. The resolution approves our President's recommendation to Congress that the Nation's permanent deep geological storage site for spent nuclear fuel and other radioactive waste be located at the Yucca Mountain site in Nevada.

What the resolution does not do is build a repository. It merely selects the site, and approval of the resolution would start the Department of Energy on the licensing process.

This is a long-awaited step forward in the process to develop this Nation's long-term geologic repository for high-level radioactive waste. In making the decision, President Bush relied on the recommendation of Secretary of Energy Abraham and on two decades of science that has found, in the words of one Department of Energy assessment, ''no showstoppers.'' This is not something that has just come up. We have been at it for 20 years.

The vote last month in the House was 306 to 117. As I indicated, the House has done its job. It affirmed the exceptional science, engineering, and public policy work that has gone into this very important national project. It reached a conclusion, exactly as I indicated earlier. Now it is the Senate's turn to vote on the resolution.

The 20 years of work, the over $4 billion that has been invested in determining whether this site is scientifically and technically suitable for the development of a repository is a reality to which the taxpayers have already been subjected; $4 billion has been expended at Yucca Mountain. I personally visited the site, and I can tell you that for all practical purposes, the site is ready.

For those who suggest we put this off, let me again remind my colleagues, we have not made this decision in haste. It has been 20 years in the process. In fact, the most recent independent review done by the Nuclear Waste Technical Review Board in January of this year found, one, ''No individual, technical, or scientific factor has been identified that would automatically eliminate Yucca Mountain from consideration as a site of a permanent repository.''

I am confident in the work done to date by the Department of Energy, but this work will not cease with this recommendation. On the contrary, scientific investigation and analysis will

continue for the life of the repository, and I believe that sound science and sound policy guide this decision. For over 20 years, we have relied on science to guide us, and now that science says this site is suitable.

I am often reminded how these things are resolved, and while it is appropriate to have public input, this is an area of technology in which we really need sound science and not emotional discussions or arguments. We have created this waste. We have to address it. Nobody wants it. Somebody has to have it. The Yucca Mountain site has been determined as the best site, and the science supports it.

In fact, the review board addressed the very issue of science vis-a-vis policy and concluded that the ultimate decision on Yucca Mountain is one of policy and informed science. Policy decisions lie with our elected officials. That is why we are here, Madam President. We base them on sound science and facts, of course, but ultimately, we have to make the tough calls. We cannot vote maybe; we can only vote yes or no.

The Secretary has acted. The President has acted. The House of Representatives has acted. Now the Senate must act. Nevada exercised its opportunity to object to actions taken by the Federal Government. That is their right as granted by the Nuclear Waste Policy Act.

It should be pointed out that the veto authority given to the State of Nevada is rather unusual. A Governor of a State was able to veto a decision of a sitting President—indeed extraordinary—but now it is time for the Senate to act, and it is our obligation, indeed our duty, because some decisions, tough as they are, need to be made with the good of the entire Nation in mind.

I should also point out that when the act was considered in 1982, the question of a State veto was somewhat controversial. The subsequent votes of both the House and Senate outlined very specifically the necessary balance to this State veto. If Congress is not permitted to act, as some have threatened in the Senate, then that carefully crafted balance will be lost. I wish the State of Alaska had been given an opportunity for a veto on the issue of ANWR. Nevertheless, that is a different issue for a different time.

The Nuclear Waste Policy Act anticipated that this would be a tough decision and laid out some very strict, fast-track procedure to ensure that the decision would be put to a vote so that the will of the majority would be heard. This is one of those rare cases when Congress made the decision to not allow procedural games to obscure the substance of a very important decision. We will have to vote sometime before July 27 of this year, governed by certain rules on S.J. Res. 34, and a decision will be made, Madam President. That is the procedure that Congress decided back in 1982. We must make this decision, and we will make it soon.

The Federal Government has a contractual obligation to take the Nation's spent fuel. That obligation, as I indicated in my earlier remarks, was due in 1998. That was a contractual commitment. The Federal Government is in violation of that contractual commitment. So far, no waste has been removed despite the fact that the nuclear waste fund now has in excess of $17 billion for the specific purpose of taking the waste.

If the spent fuel is not taken soon, at least one reactor, the Prairie Island reactor in Minnesota, will have to shut down, and we cannot afford to sacrifice nuclear power, not in Minnesota nor, for that matter, anywhere. Madam President, 21 percent of all power generation comes from nuclear energy.

Other States have spent fuel piling up: 1,860 metric tons in California, 1,542 metric tons in Connecticut, and a whopping 5,850 metric tons in Illinois. We have waste at other sites, including Hanford in the State of Washington.

Nuclear, as I indicated, is 21 percent of the Nation's clean, nonemitting electrical energy. Nuclear is safe, solid, baseload generation that helps reduce our dependence on foreign oil.

The Federal Government's obligation does not just extend to utilities. We also have a responsibility to continue to clean up our cold war legacy. These are Department of Energy weapon sites, several throughout the United States, that must be cleaned up. To accomplish cleanup, waste must be removed in sites such as Rocky Flats in Colorado, Hanford in Washington, Savannah River in South Carolina.

For a variety of reasons, all based on sound science, we must proceed to affirm the President's site designation of Yucca Mountain as one of our Nation's safe, central, remote nuclear waste repositories. To borrow from Secretary Abraham's February 14 letter to President Bush:

A repository is important to our national security. A repository is important to our nonproliferation objectives. A repository is important to our energy security. A repository is important to our homeland security. A repository is important to our efforts to protect our environment.

We have a responsibility, Madam President, to site a repository. It is an overarching national responsibility. It is one we cannot shirk. The alternative would be to leave this waste at 131 sites in over 40 States—sites which were not designated to be permanent repositories.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. CARNAHAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. CARNAHAN. Mr. President, I ask unanimous consent to be recognized to speak for up to 5 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Missouri is recognized.

JACK BUCK

Mrs. CARNAHAN. Mr. President, I rise today—in great sadness—to mourn the loss of broadcasting legend Jack Buck.

Jack Buck has been appropriately referred to as both ''the voice of the Cardinals'' and ''the soul of St. Louis.'' He has been a mainstay in the Cardinals broadcasting booth for nearly 50 years.

He called games featuring Cardinal greats such as Stan Musial, Bob Gibson, Lou Brock, Ozzie Smith, and Mark McGwire. He was well known for wrapping up Cardinal victories with his trademark, ''that's a winner.''

Mr. Buck was a decorated war veteran, father of eight, and one of the most accomplished sports broadcasters of all time. He has been inducted into 11 halls of fame, including shrines for baseball, football, and radio.

Jack Buck was accomplished out of the broadcasting booth as well. In fact, he was selected as St. Louis' Citizen of the Year in 2000 for his contributions to the community.

He was dedicated to finding a cure for cystic fibrosis and raised well over $30 million toward that goal. ''Finding a cure would be the greatest thing to happen in my lifetime,'' he once said.

Jack Buck was also a poet who enjoyed a well-turned phrase. When baseball resumed last year after the September 11 attacks, Buck, a tear in his eye, read a patriotic poem during a pregame ceremony at Busch Stadium. ''As our fathers did before, we shall win this unwanted war,'' he said. ''And our children will enjoy the future we'll be giving.''

Buck often told a story about the day his wife, Carole, asked what he would say to the Lord when they meet at the gates of heaven. He responded: ''I want to ask him why he's been so good to me.''

Today we join with all who knew and loved Jack Buck to say, ''Now that's a winner.''

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. CARNAHAN). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2003

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 2514, which the clerk will report.

The senior assistant bill clerk read as follows:

A bill (S. 2514) to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The PRESIDING OFFICER. The Senator from Michigan.

AMENDMENT NO. 3899

Mr. LEVIN. Madam President, momentarily, I will be offering an amendment on behalf of the majority of the Senate Armed Services Committee which addresses the Crusader artillery system program and the Army's fire support requirements.

The amendment would do two things: First, it would take $475.6 million out of the Crusader program and put the money into a separate funding line for Future Combat Systems research and development, the Army's armored systems modernization line.

In terms of making sure this issue is very clear, it is essential to understand that the first action this amendment would take would be to move that $475 million from the Crusader program but keeping it in the Army's Future Combat Systems research and development program; that is, the Army's armored systems modernization line.

It would do a second thing which was very important to the majority of the Armed Services Committee; that is, that it would require the Chief of Staff of the Army to conduct an analysis of alternatives for the Army's artillery needs and to submit his findings to the Secretary of Defense no later than 1 month after the date of enactment of this bill.

Under this amendment, the Department would not be permitted to spend the $475 million until after the Secretary of Defense adds his own conclusions and recommendations to the Army Chief of Staff's report and forwards the report to the Congress. With his own decision, the Secretary of Defense would, under our amendment, be required to submit the recommendations of the Chief of Staff of the Army.

They may be two different recommendations, as they were during the hearing that we had, where we had the Secretary of Defense saying the Crusader should be terminated immediately, and the Chief of Staff of the Army giving us the reasons he believed the Crusader system made sense in terms of modernization, made sense in terms of transformation. It was a very important hearing for all of us, including the Presiding Officer, who was present at that hearing.

At that point, after that period had run—1 month after the date of enactment—the Secretary would be free to do a number of things: spend the money for future combat systems in that account or request a reprogramming to spend the money on other programs which address the Army's indirect fire requirements.

So under our approach, we would accomplish two things, basically: One, we would make sure this money is spent for future combat systems essential to the Army; secondly, we would provide that the Army complete the analysis, which was truncated, which was interrupted when the Secretary of Defense, in early May, said it was his decision to terminate the system before that analysis could be completed.

This was an analysis which was going to look at a number of very critical issues. The Army was looking at seven questions, questions which were critical to the survival of soldiers in our future. These are questions which could be life-and-death questions down the road. These are survival questions. These are questions which affect the men and women in the Armed Forces at some point down the road.

How these questions are answered could literally make the difference between whether or not we prevail during a battle and what casualties are incurred during a battle at some time in the future.

These were not just questions of affordability at which the Army was looking, these were questions of capability, of various alternatives. Four indirect fire alternatives were being analyzed by the Army. They were analyzing these alternatives in six different combat scenarios. And they were going to answer seven questions. Again, the answers to those questions are critically important to success in combat or to survive in combat.

The majority of the committee objected to the termination of that analysis. Many people had concluded that Crusader ought to be canceled. Other people had concluded that Crusader should not be canceled. But I think where many of us—perhaps most of us—in the Armed Services Committee finally rested, wherever you tend to go or be on that continuum, for or against, that there is a middle ground here, where that analysis, which was underway by the Army, not only would help us determine whether we should leave Crusader, terminate Crusader, but would also help us determine where those funds should be spent as an alternative to Crusader.

So this study became significant and relevant to both whether we leave our current path and to what new direction should we move. That is why the amendment, which I offered in committee, required that the Secretary of the Army be given a reasonable period of time to complete that analysis so that we would have the benefit of the Army's analysis.

The Secretary of Defense would not be bound by it. The Secretary of Defense, after that analysis was completed, would have an opportunity to reach his own conclusions. They may or may not be the same. They may or may not be, as he has already decided, that we should leave Crusader and move to something else. But at least it would be based on an analysis which addressed such critically important questions as the Army was in the process of addressing—looking at all the alternatives, looking at the risks, looking at the benefits of approaching each one of those or utilizing each one of those alternatives.

The committee approved this amendment by a vote of 13 to 6. And that is where it currently stands.

The amendment which we adopted is not part of this bill. It is, in effect, going to be offered in a few moments as a proposed committee amendment. More technically stated, it is an amendment which I will be offering on behalf of the committee because, since this is a new bill which was filed, a committee amendment technically would not be in order. So it amounts to the same thing. But for those on the Armed Services Committee, they should be aware of the fact that this will be an amendment which I will be offering on behalf of the committee pursuant to the majority vote of that committee.

In conclusion, the amendment would simply require the Department of Defense to undertake a reasoned analysis of all the alternatives, an analysis which the Army was in the middle of making, before making a final decision whether to terminate the Crusader program and, if the program is terminated, how the money should best be spent to support the Army's indirect fire needs. The objective is not to preserve a particular program or to advance a particular approach. It is simply intended to ensure a reasoned analysis of a potentially life-and-death issue. I hope we will adopt this approach.

I understand my dear friend and colleague from Virginia, our ranking member on the Armed Services Committee, may be offering a second-degree amendment.

Madam President, I send the amendment to the desk and ask for its immediate consideration. I am authorized by the committee to send that amendment to the desk.

I wish to make clear there is one very technical change in the amendment. I have stricken the words that are confusing, ''organic-to-unit.'' Those words have been stricken from the amendment adopted by the committee. I have touched base with at least one key Senator on the committee who is very supportive of proceeding with Crusader. I have touched base with my ranking member on this issue. There is no objection to those words being stricken in a number of places to provide greater clarity.

I ask that the amendment be immediately considered.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant bill clerk read as follows:

The Senator from Michigan (Mr. LEVIN) proposes an amendment numbered 3899.

Mr. LEVIN. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To reallocate an amount available to the Army for indirect fire programs)

On page 26, after line 22, add the following:

SEC. 214. REALLOCATION OF AMOUNT AVAILABLE FOR INDIRECT FIRE PROGRAMS.

(a) REDUCTION OF AMOUNT FOR CRUSADER.—Of the amount authorized to be appropriated by section 201(1) for the Army for research, development, test, and evaluation, the amount available for continued research and development of the Crusader artillery system is hereby reduced by $475,600,000.

(b) INCREASE OF AMOUNT FOR FUTURE COMBAT SYSTEMS.—Of the amount authorized to be appropriated by section 201(1) for the Army for research, development, test, and evaluation, the amount available for research and development for the Objective Force is hereby increased by $475,600,000. The amount of the increase shall be available only for meeting the needs of the Army for indirect fire capabilities, and may not be used under the authority of this section until the report required by subsection (d) is submitted to Congress in accordance with such subsection.

(c) REPROGRAMMING OF AMOUNT FOR INDIRECT FIRE PROGRAMS.—Upon the submission to Congress of the report required by subsection (d), the Secretary of Defense may seek to reprogram the amount available under subsection (b), in accordance with established procedures, only for the following purposes:

(1) Payment of costs associated with a termination, if any, of the Crusader artillery system program.

(2) Continued research and development of the Crusader artillery system.

(3) Other Army programs identified by the Secretary pursuant to subsection (d) as the best available alternative to the Crusader artillery system for providing improved indirect fire for the Army.

(d) REPORTING REQUIREMENT.—(1) Not later than 30 days after the date of the enactment of this Act, the Chief of Staff of the Army shall complete a review of the full range of Army programs that could provide improved indirect fire for the Army over the next 20 years and shall submit to the Secretary of Defense a report containing the recommendation of the Chief of Staff on which alternative for improving indirect fire for the Army is the best alternative for that purpose. The report shall also include information on each of the following funding matters:

(A) The manner in which the amount available under subsection (b) should be best invested to support the improvement of indirect fire capabilities for the Army.

(B) The manner in which the amount provided for indirect fire programs of the Army in the future-years defense program submitted to Congress with respect to the budget for fiscal year 2003 under section 221 of title 10, United States Code, should be best invested to support improved indirect fire for the Army.

(C) The manner in which the amounts described in subparagraphs (A) and (B) should be best invested to support the improvement of indirect fire capabilities for the Army in the event of a termination of the Crusader artillery system program.

(D) The portion of the amount available under subsection (b) that should be reserved for paying costs associated with a termination of the Crusader artillery system program in the event of such a termination.

(2) The Secretary of Defense shall submit the report, together with any comments and recommendations that the Secretary considers appropriate, to the congressional defense committees.

(e) ANNUAL UPDATES.—(1) The Secretary shall submit to the congressional defense committees, at the same time that the President submits the budget for a fiscal year referred to in paragraph (4) to Congress under section 1105(a) of title 31, United States Code, a report on the investments proposed to be made in indirect fire programs for the Army.

(2) If the Crusader artillery system program has been terminated by the time the annual report is submitted in conjunction with the budget for a fiscal year, the report shall—

(A) identify the amount proposed for expenditure for the Crusader artillery system program for that fiscal year in the future-years defense program that was submitted to Congress in 2002 under section 221 of title 10, United States Code; and

(B) specify—

(i) the manner in which the amount provided in that budget would be expended for improved indirect fire capabilities for the Army; and

(ii) the extent to which the expenditures in that manner would improve indirect fire capabilities for the Army.

(3) The requirement to submit an annual report under paragraph (1) shall apply with respect to budgets for fiscal years 2004, 2005, 2006, 2007, and 2008.

Mr. LEVIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

AMENDMENT NO. 3900 TO AMENDMENT NO. 3899

Mr. WARNER. Madam President, this is an amendment that was considered by our committee. The chairman has stated very accurately the facts. The vote was 13 to 6. I happen to have been in the six. I would like to explain the background.

The President sent to the Congress a document entitled ''Department of Defense Fiscal Year 2003 Budget Amendment, Crusader Termination, May 2002.''

The operative message is on page 4. It says as follows: Department of Defense Fiscal Year 2003 Budget Amendment for Crusader Termination, Research, Development, Test and Evaluation, Army. Justification: The Department of Defense has decided to terminate the Crusader Artillery System Program. This action will support development of objective force indirect fires and network fires. Crusader funding can be used to accelerate the development and fielding of indirect fire platforms such as the high mobility artillery rocket system and precision munitions such as Excalibur Projectile Precision Guided Mortar Munitions and Guided Multiple Launch Rocket System (unitary). Certain selected technologies developed within the Crusader program will have application to future artillery programs. These changes should boost long-term capabilities.

When this arrived in the Congress, it provoked, understandably, considerable concern. The Senator from Oklahoma, I am sure, will shortly address those concerns. He has been fully involved throughout this. I commend him for bringing to the attention of the chairman and myself the need to address this very carefully within the committee as a separate item. That was done, as I stated and as the chairman stated. The committee action represents such consensus as a vote of 13 to 6 represents.

In my capacity as ranking member of the committee, I have an obligation to work with the Secretary of Defense and to determine the extent to which we can arrive at the budget amendment request sent by the President. I have done that in such a manner as to develop an amendment, which I will shortly send to the desk, in the second degree to the amendment offered by the chairman. This amendment was drawn after careful consultation with the Secretary and other members of the Department of Defense through several sessions yesterday. I think it is a very fair compromise and hopefully will be adopted by the Senate.

I represent that the amendment I have devised reaches the same basic goals as enunciated in this justification forwarded to the Congress by the President. At the same time, my amendment recognizes the important contributions by the chairman and others in drafting the committee amendment. I, too, join the chairman in expressing concern about what I call ''due process'' accorded the Department of the Army in the course of reevaluating this Crusader system at the direction of the Secretary of Defense, which to some degree was done prior to the forwarding to the Congress of this budget amendment.

The chairman—and, indeed, I and others—believed the Army should be given the opportunity to fully explore, as the chairman stated, the reasons for either continuing Crusader or pursuing other avenues leading to the goals enunciated in the budget amendment.

Therefore, my amendment carefully preserves—at least I have endeavored to do that—the portions of the chairman's amendment which enable the Army to perform those important analyses, forwards them to the Secretary of Defense, and then the Secretary is to take certain actions.

The basic difference between the chairman's amendment and my amendment is that my amendment eliminates the reprogramming, a series of four reprogrammings which are required when a matter of this importance is brought to the Congress. It is my judgment—and I think the Secretary of Defense—that we should as quickly as possible, to save dollars and in every other way, remove the delays incorporated in moving to a new system for the U.S. Army with regard to its very important indirect and network fires.

The four reprogramming actions have the possibility of delays built in, plus the fact that, for whatever reason, one of those four committees could block the action. I believe with the consideration being given in the Senate today, the consideration that will be given in a conference between the House and the Senate, assuming the amendments are adopted, that we will have given proper congressional oversight of the decision by the President and the Secretary of Defense to stop the Crusader program terminating and proceed with moving in accordance with the justification I have outlined. So for that purpose I now send to the desk an amendment in the second degree and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER] proposes an amendment numbered 3900 to amendment No. 3899.

Mr. WARNER. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To substitute a notice-and-wait condition for the exercise of authority to use funds)

Beginning on page 2, strike line 7 and all that follows through line 5 on page 3, and insert the following:

''development for the Objective Force indirect fire systems is hereby increased by $475,600,000. The amount of the increase shall be available only for meeting the needs of the Army for indirect fire capabilities, and may not be used under the authority of this section until 30 days after the date on which the Secretary of Defense submits to the congressional defense committees the report required by subsection (d), together with a notification of the Secretary's plan to use such funds to meet the needs of the Army for indirect fire capabilities.

''(c) USE OF FUNDS.—Subject to subsection (b), the Secretary of Defense may use the amount available under such subsection for any program for meeting the needs of the Army for indirect fire capabilities.''

Mr. WARNER. The administration is on record as opposing any action to stop the Defense authorization process which would block the President's determination to terminate the Crusader program. For that reason, I have developed this alternative, which has the support of the administration.

The discussions I have had over the past several days with the Secretary of Defense, Deputy Secretary, the Secretary of the Army, and others, have lead to this compromise, which would, with minor modification, make the Levin amendment acceptable to the administration. So the Levin amendment survives if modified by the Warner second degree in a document that is acceptable to the administration.

The second-degree amendment does not alter the intent of the original amendment by Senator LEVIN. The chairman, quite properly, has concerns with the process, as do I, which was followed to terminate the Crusader program. The chairman believes the Army has not been given ''due process.'' I concur in that. My amendment would not alter the part of the Levin amendment which addresses this issue.

Under the provisions of my amendment, the underlying Levin amendment would still do the following:

Transfer the $475 million for the Crusader field artillery system to a budget line for the Future Combat Systems to be used only for the purpose of developing indirect fire capabilities for the U.S. Army; provide the Army time to conduct an analysis of alternatives to address its requirement for indirect fire capabilities; require the Chief of Staff of the Army to submit recommendations to the Secretary of Defense on several issues, including the best way to allocate funding for fiscal year 2003 and beyond, to address Army indirect fire support requirements; require the Secretary of Defense to forward the Army Chief of Staff's report to the Congress, and to make recommendations regarding the best way to meet the Army's requirement for indirect fire support.

I want to make it clear, the Secretary of Defense has the final authority.

My amendment differs from the Levin amendment in one key way. The Levin amendment requires the Secretary of Defense to seek reprogramming approval to transfer funding from the Future Combat System budget line to those lines which would support the Army's indirect fire requirement, as a result of the review conducted under the Levin amendment.

The Warner amendment would replace that formal reprogramming process with a simpler ''notice and wait'' procedure.

Under my amendment, the Secretary of Defense would notify the Congress of his intention to transfer funds to support the Army's indirect fire requirements. The transfer would be effective 30 days after notification.

This approach will allow the Congress to retain oversight over this important issue but remove the ''one member'' or one committee veto, which is sometimes the result of the reprogramming process.

At this time, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Madam President, the reason this amendment—with or without the second degree—is so critical is that the decisionmaking process that has been used here has been so defective and denies the Army, the public, and the Congress critically important information relative to the need for future artillery systems. That information should have been available prior to the decision of the Department of Defense. Instead, there has been a zigzag decisionmaking process. That zigzag decisionmaking process should not have been followed because it leaves us without answers to the critically important questions about relative risks under various scenarios, under various kinds of combinations of artillery systems.

I want to go through just a bit of that to give a flavor as to why it is so important that this analysis of the Army be reasonably completed and not be truncated or terminated a few days after it was supposed to begin in May.

This field artillery system, called Crusader, which is an advanced field artillery system, has been under development since 1994 to be the Army's next-generation self-propelled howitzer and artillery resupply vehicle.

There has been criticism of the Crusader program outside of the Department of Defense, and that is to be welcomed. It is always to be considered when we get that kind of criticism of a system. Congress should consider that criticism, and we have. But until very recently, the civilian and military leadership of the Defense Department consistently and strongly supported the Crusader program in testimony before the Congress.

The fiscal year 2003 budget that was submitted by the President for the Department of Defense was submitted on February 4 of this year. That budget and the authorization bill that is before us included $475 million in continued research and development funding for the Crusader program.

On February 28, General Shinseki, Chief of Staff of the Army, testified before the Congress that:

Crusader's agility to keep up with our ground maneuver forces—its longer range, its high rate of fire, its precision . . . and the addition of Excalibur—would bring the potential of a precision weapon . . . with the platform and the munition being brought together, [and] would be a significant increase to the potential shortage of fires that we have today. Excalibur itself will not solve the problem. And Crusader is very much a part of our requirement.

''The bottom line''—quoting General Shinseki's testimony to our committee on March 7—''is we need it.'' That is referring to the Crusader.

Deputy Secretary of Defense Paul Wolfowitz recently testified in response to a question of whether we need Crusader as follows:

I think we need some of it, a lot fewer than the Army had planned on. We have cut the program by almost two-thirds. And they have done a lot to cut the size and the weight of the system.

Deputy Secretary Wolfowitz said the following:

But I am not one of those people who think that I can bet the farm on not needing artillery ten years from now.

He summarized:

And I think this [Crusader] is the best artillery system available.

That was just a few days before they reversed field. Something changed dramatically in the attitude of the senior civilian leadership of the Defense Department toward the Crusader program in just a matter of a few weeks.

The first change of course actually came in late April. The media reported—and I was told personally—that the Office of the Secretary of Defense would be reviewing the Crusader and other weapons systems during the program review process leading up to the fiscal year 2004 budget, and that a decision on the program would be made around September 1. This was documented in the recent Army IG Report on The Release of Crusader Talking Points to Members of Congress, which noted that prior to April 30, the Defense Guidance indicated that a Crusader alternatives study would be completed no later than September of 2002.

Then came the second change of course. On May 2, Secretary Rumsfeld told the press that Deputy Secretary Wolfowitz and Under Secretary Aldridge had ''advised the Secretary of the Army that they wanted a study within 30 days that would look at a specific alternative that would assume Crusader was canceled.''

On May 2, the Secretary of Defense told the press that within 30 days a study would be looking at alternatives to Crusader.

Secretary Rumsfeld went on to say it was his impression that ''when the study comes back, a final decision would be made.'' In other words, no final decision until the 30-day study period was completed.

The same day, May 2, Under Secretary Aldridge also told the press:

> We'll brief the deputy secretary in 30 days, and then we'll make a decision is this the right plan or may not be the right plan. We're allowing the Army to tell us if that is in fact the case, being as objective as possible . . . so we have a basis for an analytical judgment based on rational and objective criteria.

That is Under Secretary Aldridge on May 2. Thirty days, so we have rational and objective criteria.

Less than a week later comes change of course No. 3. On May 8, before the 30-day study is completed, Secretary Rumsfeld announces:

> After a good deal of consideration, I have decided to cancel the Crusader program. We still do not have any study based on rational and objective criteria to support that decision, and that zigzag decisionmaking process did not end with the decision to terminate the program.

On May 16, the Armed Services Committee held a hearing on the proposed termination. At that hearing, the Secretary of Defense testified that the Crusader money be spent ''to accelerate a variety of precision munitions, including GPS-guided rounds for all U.S. 155-millimeter cannons, as well as adding GPS guidance and accuracy to upgraded multiple-launch rocket system vehicles and the more mobile wheeled version of this system, the high mobility artillery rocket system, or HIMARS.''

The Secretary also testified that the Department would maintain key pieces of Crusader technology for use in the Army's Future Combat System.

At the same hearing, the Chief of Staff of the Army testified he could not comment on the Secretary's proposed alternatives to the Crusader program because he had not had the opportunity to analyze those alternatives or to review any analysis that may have been conducted by the Secretary's office.

Nonetheless, the Department of Defense formalized these alternatives in a budget amendment that was submitted to the Congress on May 29. That budget amendment provided $195 million for the artillery component of the Army Future Combat System; $115 million for other aspects of the Future Combat System; $165 million for precision artillery and other initiatives unrelated to the Future Combat System.

Even after the committee had its hearing, the Department of Defense and the Army continued to provide the committee with inconsistent information.

On May 22, the Army informed the committee that it would cost $385 million if termination were delayed until early next year. On June 5, 2 weeks later, the Department of Defense informed the committee that it would cost $584 million if the termination were delayed until early next year. We have a $200 million difference, about an 80-percent increase in costs in just a matter of 2 weeks.

On May 22, the Army informed the committee that it would cost $290 million to terminate the Crusader program immediately.

On June 10, we were told the termination costs could be reduced to less than $100 million if the Department entered into a bridge contract to transfer Crusader technologies to the Future Combat System and made a commitment to follow on FCS contracts with the Crusader contract.

It is possible, Madam President, that the Department's budget amendment takes the right approach for the future of the Army. It is possible. But this kind of ad hoc decisionmaking, this zigzag change of course, is not the way in which we should make decisions which are life-and-death decisions for the people we put in harm's way and could be life-and-death decisions, indeed, for whether or not this country wins a battle in the years ahead.

It is important we take this step back and conduct the reasoned analysis before deciding how to proceed. My amendment would provide for that analysis to be completed.

The second-degree amendment of the Senator from Virginia also provides the same time period, as I understand it, for this reasoned analysis to take place. The difference between these amendments—and I have not yet decided, because I have not had an opportunity to read the exact language of the amendment of the Senator from Virginia, as to what my position will be on his second-degree amendment. But as I understand the difference, it is whether or not, after the analysis is completed by the Army, after there is a recommendation by the Department of Defense, there is either a period where there would be a request for reprogramming or whether there would be a 30-day wait period without that reprogramming process.

That difference may sound more significant than it really is. The reason is that under the language of my amendment, if reprogramming is not adopted, the money is nonetheless required to be spent in the Future Combat System budget line. It will not be spent for Crusader unless there is a reverse in decision relative to Crusader, a reversal by the Secretary of Defense.

As I understand the language—and I want to study it—in the second-degree amendment, the 30-day period would be provided so that if a decision were made by the Secretary of Defense following the completion of this objective analysis, there would be 30 days available for the Congress to act to reverse that decision should it choose to do so.

In either event, under either the first-degree amendment or the second-degree amendment, if the Secretary of Defense decided after receiving the Army analysis that he did not want to finish Crusader under either the first-degree amendment or the second-degree amendment, there would not be funding for Crusader. So there is no difference in that sense. Under both amendments, if the Secretary's decision following the analysis is not to complete Crusader, the money will not be spent to complete Crusader. The difference is more subtle than that.

I yield the floor to give others a chance to speak. I want an opportunity to study the language in the second-degree amendment. I thank the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, I thank our distinguished chairman. He very accurately cited that my amendment embraces the corrections of the study requirement and the actions by the Chief of Staff of the Army is identical to his.

I share the concerns of the Senator from Michigan. He recited in accurate detail a process which he characterized as zigzag.

Again, my amendment in no way dislodges the goal by the chairman to have that work done by the Army. Then it goes to the Secretary of Defense. Where we differ is in what takes place after the Secretary of Defense has made his decision.

I listened carefully, and the Senator said if we go the reprogramming route, if I may pose a question, then the money will be spent, but my understanding is if one of those committees fails to act, that money essentially is parked for an indefinite period of time; am I not correct?

Mr. LEVIN. It would be in the Future Combat System line which most of that money would be spent even under the proposal of the Secretary of Defense, his budget amendment, for the Future Combat System.

Under both approaches, if the decision of the Secretary of Defense, following the completion of the Army

analysis, is not to proceed with Crusader, the money will not be spent for Crusader.

There is no difference between our approaches, as I understand it. The difference would be that under our amendment, he would seek reprogramming. If any of the four committees did not grant them reprogramming, then the money would not be spent on Crusader. It would have to be spent within the Future Combat System.

Mr. WARNER. At what point in time would that expenditure take place?

Mr. LEVIN. Immediately.

Mr. WARNER. I will come back and define that later, but I think it is important other colleagues address that point.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Madam President, I have enjoyed listening to the debate so far, and I rise very briefly today in support of the chairman's underlying amendment to terminate funding for the Army's beleaguered Crusader mobile artillery system. I support the decision of the Secretary of Defense to cancel this program. Last month, I actually introduced legislation that would terminate the Crusader, saving the taxpayers an estimated $10 billion over the life of the program.

I commend the Secretary of Defense for his efforts to transform our military to meet the challenges of the 21st century and beyond, and agree that the cold war era dinosaurs such as the Crusader should be terminated.

The centerpiece of the Crusader system is a 40-ton, 155-millimeter, self-propelled howitzer designed to fire heavy artillery shells long distances to target enemy tanks and other armored vehicles on the battlefield.

Each system has two support vehicles. Our military is seeking to be able to deploy rapidly, obviously, to anywhere in the world, but the Crusader apparently is not conducive to such rapid deployment. According to a recent New York Times editorial:

> If the Army was still facing the Soviet Union across Central Europe or contemplating battle against a similar military power in the coming decade, the Crusader would be indispensable. But the threat has changed and the Crusader program, with a price tag of $11 billion, is not needed and should be cancelled.

An editorial in our leading newspaper in Wisconsin, the Milwaukee Journal Sentinel, calls the Crusader a gold-plated weapons system and argues the Crusader is too expensive for a time when even a war-engaged Pentagon must make serious choices about how to spend its money.

I agree that it is past time the Pentagon reorient its thinking and its spending requests toward the threats of the 21st century and away from the cold war. Cancelling the Crusader is a step in the right direction.

The chairman's amendment would transfer the $475.6 million allocated for the Crusader program into a Future Combat Systems line item within the Army's research, development, testing, and evaluation account.

In addition, the Army Chief of Staff would be required to prepare a report on alternatives to the Crusader program and submit it to the Secretary within 30 days of the enactment of this bill. This report would include an analysis of the Army's future artillery needs.

I urge the members of the Armed Services Committee and the Appropriations Committee to exercise strict oversight of any reprogramming request that may be submitted as a result of the Army's report. I agree with the chairman of the committee that we should be careful about how the $475.6 million that is shifted into the Future Combat Systems account is allocated. The Future Combat Systems account should not be treated as a blank check. It should not be used as a way to revive part or all of the Crusader program. We should scrutinize carefully how these funds will be spent.

I urge my colleagues to support Senator LEVIN's underlying amendment, and I yield the floor.

The PRESIDING OFFICER (Mr. CORZINE). The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, it is interesting to follow Senator FEINGOLD because both of us have raised plenty of questions about what we consider to be waste in the Pentagon budget, and I will be relatively brief. I strongly support Chairman Levin's amendment because I think it corrects serious flaws in the process by which the Department of Defense summarily decided to terminate the Crusader without any prior consultation with the Army or the Congress. That is what bothers me the most.

I have long been a critic of wasteful and unnecessary defense spending, particularly when it diverts needed resources from pressing operational and readiness needs of our Armed Forces. I also strongly believe in fair, transparent, and informed Government decision-making, which did not occur in the decision to cancel the Crusader.

For me, this is as clear a kind of question as we can have before us. The Army has stated for over a decade that there is need for an indirect, long-range, rapid-fire system to support ground troops, the very purpose for which the Crusader was developed. Far from being a cold war system, the Crusader's development began in 1995, after the cold war ended and Iraq was defeated. The program is on schedule, on budget, and the system's weight has been cut substantially. As a result, the Bush administration's original fiscal year 2003 budget request was for full funding for the Crusader.

Three Defense Secretaries, three Army Secretaries, three Army Chiefs of Staff, and numerous officers of the field have given testimony in support of the system. In the last few months, a parade of administration officials have testified, including Deputy Defense Secretary Wolfowitz, to congressional defense committees supporting the Crusader. Yet 2 months after the testimony by top Army brass, the Secretary of Defense abruptly cancelled the program.

The Secretary's abrupt decision to terminate the Crusader was made in secret and without consultation with even high-level Army officials. It clearly did not follow the normal review within the Pentagon and looks, by its speed, designed to avoid normal scrutiny by Congress. We cannot give up that oversight.

The decision was made without consultation with the Joint Chiefs of Staff, without consultation with the Army, and without consultation with Members of Congress. An argument can be made one way or another ultimately about this weapons system, but for any weapons system I would like to see a careful review process. I think that is critically important.

The decision to halt the program and the President's subsequent request to reallocate funds—not to just reduce funds but to reallocate funds—was an extraordinary flip-flop in the administration's position.

I will not apologize for being concerned about potential job losses in Minnesota should the program be cut. I recently met with workers and officials at the United Defense Industries plant in Minnesota. The point is: Maybe, like it or not, a decision will be made, upon a careful review process, that this weapons system makes no sense. Maybe the decision will be made, with a highly skilled workforce, that there can be other uses made with other technology and that indeed all kinds of decisions can be made and different directions can be taken. I do not know. What I do know is these workers are owed fairness and decent treatment by the Government. They deserve their day in court. Minnesota firms and workers who are most affected by this decision should have a chance to make their case within the normal transparent policy process, not a closed process, not a secret backroom process, which is all we have seen so far.

I need to repeat that point. I have taken all kinds of unpopular votes on all kinds of weapons systems, and at the end of the day if I am convinced there is not merit to this, then that is the way I will vote. But there has not been any careful review process. There has not been any analysis of: How much does it cost to cancel? What do we get from the investment? What are the alternatives? Where is the money going to be spent?

We can hardly blame men and women, a highly skilled workforce, for saying to me or to any Senator or anybody who represents them: At least call for a decent, fair, thorough, and rational review process. This is our skilled work. We are proud of what we do. We believe the weapons system has great merit, but, Paul, we understand.

When I went to visit people, I said: You know my positions. But they are

saying: At the very minimum, we deserve our day in court. There ought to be a careful review process. There cannot be a 180-degree turn, with the Secretary of Defense announcing the program is cancelled, period. Senator LEVIN's amendment is all about process. Process sounds boring. Senator LEVIN's amendment is about fairness. It is about fairness. I hope it will get strong support.

Responsible defense spending decisions, especially those that have decades-long consequences, ought to be made only after a careful analysis and consideration of the need to have U.S. forces as well equipped and as well trained as possible. That is what happens to some Members critical of the expenditures and weapons systems. We are accused of being weak on defense. That is not the point. The point is, there is not any Senator here who does not want our Armed Forces to be well trained and well equipped. The question is what weapon systems make sense and how best do we do the job.

The Pentagon so far offered scant evidence to viable alternatives to the Crusader. It seems clear the alternatives they have vaguely suggested—largely missile and precision-guided munitions programs in the early stage of research and development—will not adequately replace the capabilities of the Crusader. I want the case made before we cancel a program and throw people out of work.

Further, they could cost more, with a higher risk they could not be delivered on time. The cost of the termination alone of the Crusader is estimated to be $285 million.

In short, colleagues, the administration has failed to provide to Congress with any comprehensive analysis of alternatives in terms of technology, readiness, operational effectiveness, costs, and deliverability. The Levin amendment is not putting this off forever. It is not: postpone, postpone, postpone. Rather, it is saying we ought to have the careful review process.

Whether it is this weapons system or any weapons system, this amendment is all about setting an important precedent if we are going to carry out our responsibilities for careful review. We have invested $2 billion in the Crusader. The Pentagon owes the American people, at the very least, an open and transparent review before it abruptly cancels an otherwise good artillery system. We have invested $2 billion. Perhaps the case can be made this system should be canceled; I am not so sure, but that is beside the point.

The point is, Where has there been an open and transparent review of this weapons system? That is something that we request. That is a matter of elementary fairness and also a matter of the way we ought to be making these decisions.

The Levin amendment is an important and positive step forward out of the mess. It requires the Army Chief of Staff to conduct a serious study of the best way to provide for the Army's need for indirect fire support. At the same time, it provides the Secretary of Defense, following the study, a full range of options. These include termination, to continue funding of the Crusader, to funding alternative systems to meet the battlefield requirements.

This is a pretty reasonable amendment. If instead the Senate passes an amendment that immediately terminates the Crusader program, it will validate an unacceptable decision-making process by our Government, by our Pentagon. It will also lead to the loss of the Crusader scientific and engineering team and its technology. This would occur without saving our Government anything in termination costs.

In contrast, if the Senate accepts the chairman's amendment, there would be an orderly process, and we come to final judgment. This would happen without losing the extraordinary team and the technology in the meantime and without adding to the Government's eventual cost if termination is the final option chosen.

However one feels about the Crusader itself, the Levin amendment is about something different—about the best way to restore fair, transparent, and informed Government decisionmaking to the process, which has been the opposite so far.

Colleagues, I don't know that I need to repeat what I have said. I don't think I could be clearer in my presentation. I make this appeal on the basis of the way these decisions ought to be made. We deserve the transparency. We as legislators deserve an open, transparent process, much less the people we represent. To me, this is a synthesis or marriage that makes sense, No. 1, to best represent people in my State who are saying: We are going to be losing our jobs. We think we have done good work and, at the very minimum, can't you as a Senator demand there be an orderly and transparent process and we have our day in court. I should do that.

For every Senator, Democrat or Republican, for whatever position you may or may not have right now based upon what information you have about the Crusader, this is just a matter of overview, of accountability of where we figure into the decisionmaking.

I ask unanimous consent for 3 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. WELLSTONE are located in today's RECORD under ''Morning Business.'')

Mr. WARNER. Mr. President, at this time there being no others seeking recognition on the pending and underlying second-degree amendment, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I do at some point want to be recognized on the second-degree amendment, the Warner amendment to the underlying amendment. But not until we have had a chance to evaluate it a little bit more. That is what we have been doing in the last few minutes.

As the ranking member, Senator WARNER knows this is something that came up fairly quickly. We need a chance to look it over.

In the meantime, I see Senator AKAKA, the chairman of the Readiness Subcommittee, is going to be seeking recognition. So if it is acceptable, I would like to talk a little bit about our Readiness Subcommittee, our feelings, and then maybe respond to a couple of comments concerning the Crusader. Then if there is time, perhaps Senator AKAKA could follow me.

First of all, I congratulate both Chairman LEVIN and Senator WARNER for their leadership in the Senate Armed Services Committee. They have worked tirelessly in the past months to formulate a bill that for the most part provides for increased readiness for the Armed Forces and the security of our Nation.

I also thank Senator AKAKA, the chairman of the Readiness Subcommittee, for his bipartisan leadership of the subcommittee. As the former chairman of that subcommittee and now the ranking member of the Readiness Subcommittee, I believe the subcommittee took a balanced approach to address a number of the readiness management concerns affecting the armed services.

In keeping with our bipartisan approach to readiness, this bill increased funding for identified shortfalls in the services' infrastructure, equipment, maintenance, and operating budgets. I especially want to highlight the increases in the ammunition procurement, depot level maintenance, base operations, and military construction. While I support many of the readiness items in this bill, a few lines cause me some concern.

Foremost, I am concerned about the $850 million reduction for professional services contracts. This reduction would have significant impacts on the level of services provided to the Department.

I had hoped the bill approved by the Armed Services Committee would be more supportive of the Department's proposed readiness range preservation initiative. Although the bill includes two of the provisions requested by the Department, the modifications relating to the Endangered Species Act, Migratory Bird Treaty Act, Marine Mammal Protection Act, are not on the mark. I believe they should have been on the mark. I do know the political reality was the support was not there. I hope, when we send this bill to the President for signature, it will include some of these provisions since they are essential to maintaining the training and readiness of our forces.

We might remember it was not long ago that we determined that in several of our training installations we actually paid more money for some of the

environmental provisions than we did for ammunition. That was at a time when we had severe budget constraints, which are less severe today.

Although I support many of the provisions of the bill, especially those in the readiness accounts, I was among the eight Republican Senators who voted against reporting out the bill in its current form. My vote against the bill was based on the drastic reductions, over $800 million, from the President's request for missile defense programs. The reductions, according to General Kadish, the Director of the Missile Defense Agency:

> . . . would fundamentally undermine the administration's transformation of missile defense capabilities and eliminate the opportunity for the earliest possible contingency against medium range ballistic missiles abroad.

I have been at the forefront when it comes to the development of missile defense to protect our Nation's citizens. I find it ironic, in light of what happened on the 11th of September, that we are not putting in the money necessary for a missile defense system.

I have very serious concerns about that. I know the administration does. I fully support what the administration is trying to do with missile defense. Of course, we cut the authorization considerably for that.

Let me just make a comment or two about the discussion that has taken place here concerning the Crusader. I have to agree, Chairman LEVIN is correct when he talks about the chain of events that led to the May 8 cancellation by the administration. It was something that we determined afterwards in committees that none of the military, none of the uniformed services were aware of. It was not right and I think everyone agrees that was not the proper procedure.

I will say this. Let's not forget the real problem we have with artillery today. I will start by saying there are people in this Chamber and elsewhere who really do not believe we need artillery, we do not need a gun.

But when you ask these same people if they are prepared to say we do not need ground troops in the future, there is not anyone who is going to say we do not need ground troops in the future. When we have troops on the ground, and we know we will have them on the ground—we had them in Anaconda and Afghanistan—you have to offer cover. Of course, if it is close to ships, you could do it that way, but that is highly unlikely. You could do it from the air or with artillery. If you do it from the air, as we depended on air in Afghanistan, then you have two problems.

No. 1, according to the testimony of General Shinseki, it took an average of 25 minutes of response time to be able, from the air, to get the cover necessary. In other words, our troops were naked for a 25-minute period of time. That is unacceptable.

Second, it was further testified—we had testimony that was very convincing—that in one-half of the cases the weather was such we could not get that cover from the air.

So what is the alternative? The alternative is to do it with artillery. I have lots of quotes here—that I will probably put in the RECORD, but I will not bother quoting right now—from the top military uniformed people saying we really needed to have the artillery capability at that time. So let's look at where we are today.

There has been a lot of talk about the Crusader. The Crusader is the system of the future. It is a system that will correct the problem, the deficiency we have right now.

We in this Chamber have to make a determination: Are we willing to send our troops into combat with inferior equipment? I would say that is unacceptable. So let's look at where we are today.

This is the Paladin. That is the best thing we have today. It was designed in 1963. I have spent many hours inside the Paladin, in the training areas. It is inconceivable to me that we would be expecting our troops to use such antiquated equipment, one where after every fire you have to take a pole and take the breach and then hand load it, put the shell in, put the charge in behind it, close it, cock it, take a rope and pull it. I can show you Civil War movies where they had to go through that same process. That is totally unacceptable.

First of all, we determined if we are going to have ground troops we have to have artillery. There are two things you want in artillery: One is range, the other is rate of fire. This is the Paladin right down here. It is at the very low end of the spectrum.

In here are four countries that make a system that is better than the Paladin. In other words, these countries—such as this one here, PZH2000. I took the effort to go to Germany and sat inside one when it was fired. It is far superior to the Paladin but not as good as the Crusader. Here is the Crusader. In terms of rate of fire, in terms of range, it would be superior, if we had that, to the rest of these.

Before we had what happened on May 8, we thought we were going to be in a position to have that Crusader capability so our troops that go out there would have something superior to the rest of them. Now we see if we do not have that, we have the British, the Russians, South Africans, and the Germans, all making a system that is better than what we have here.

It may be that we can get there. I think most people agree that if we are going to have a gun for the future, we need to have it by 2008. The Paladin Crusader would have been there by that time. It may be that later on we will find another alternative and have a gun that will be consistent with the requirements of the Future Combat System by 2008, even though it would be lighter. The complaint was that the Paladin Crusader was too heavy. They knocked it down from 60 tons to 39 tons. A lot of people legitimately believe it is too heavy. Now they are talking about some alternative of around 18 tons to 20 tons. That is fine. We need to be able to pursue that.

But the bottom line is that we have to be able to give our troops the capability of a superior artillery system. That is where we are today.

We have a couple of alternatives. We know the House has language fully funding the Crusader. It might be that when we go to conference, we will come out with something such as that. We don't know.

It is very important for us to recognize today that we have that deficiency. We have to determine as Members of this body whether that is acceptable—that we are willing to send our troops into combat with an inferior system. I think we will find that it is not acceptable.

I again thank my chairman, Senator AKAKA, for the way we have worked together, and for the subcommittee support in what we have done, even though I still think it is deficient.

In the overall budget we had to deal with, we were not able to do two major things:

No. 1, improve on the problems we have right now, and not with inadequate systems;

And, No. 2, there are a lot of military construction projects that are still not addressed.

I am not saying this to criticize the President's budget. I am just saying they have a bottom line and they have to live within it. There are still deficiencies.

I think we did the best we could in our committee. I commend Senator AKAKA for the bipartisan way in which he and I have always worked together for the past 15 years.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I wish to commend our colleague from Oklahoma with regard to the budget amendment. On the Crusader, he has been in the very forefront and participated, I think, in almost all of the discussions—fighting hard for the Army to at some point in time indicate what their preferences are and, second, to see that this void in the ability of the Army to provide the—let us just call it—''artillery fire,'' and have it replaced at the earliest possible time with a system which can substitute many times over and more efficiently for the current antiquated Paladin system.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, I thank Senator INHOFE for his passion in dealing with the issues before the committee. I thank him for his support and cooperation throughout our markup. It is truly an honor to work with Senator INHOFE as we both seek to advance the readiness of our Armed Forces.

I also thank Senator LEVIN and Senator WARNER. They both worked tirelessly to meet our committee actions.

They provided great wisdom and guidance during our deliberations.

I rise today in support of the National Defense Authorization Act for Fiscal Year 2003 and to highlight some of the major actions taken by the Readiness Subcommittee in this year's bill.

This year, the committee had five goals:

No. 1, continue improvements in compensation and quality of life;

No. 2, sustain readiness;

No. 3, improve the efficiency of Department of Defense operations;

No. 4, improve the Department of Defense's capability to meet non-traditional threats; and,

No. 5, promote transformation.

Our subcommittee focused on the first three of these goals.

To improve quality of life, the Readiness Subcommittee recommended an increase of over $800 million to improve the buildings where servicemembers live and work, including a net increase of $640 million in new construction. We also provided an increase of $21 million for personal gear for military members to improve their safety and comfort in the field.

To sustain readiness, the subcommittee made a number of recommendations that are included in the bill. First and foremost, the bill protects the $10 billion the President requested for operating costs of the ongoing war on terrorism, and has authorized the appropriation of these contingency funds once the President submits a request for specific uses for these funds to Congress. The subcommittee also developed an initiative to enhance training opportunities for our Armed Forces to ensure they can make the most effective use of existing training assets. To do this, we established a fund that would allow the Department of Defense to purchase land, or easements on land, that would protect training ranges. We also provided $126 million for improvements to those ranges, including better targeting capabilities and infrastructure improvements.

To help to address longer term readiness challenges, the bill includes an increase of $95.0 million for maintenance of ships and other Navy assets, and $138.6 million to maintain highly stressed aircraft. And, we continue our efforts from last year to enhance the Department of Defense's coordination of anti-corrosion programs. Studies estimate that corrosion costs the Department up to $20 billion annually, and that corrosion continues to be a serious maintenance challenge and manpower drain. We therefore recommended that DOD designate a senior official to oversee anti-corrosion plans and policies, and added almost $30 million to fund those efforts and other anti-corrosion testing, research, and product applications.

To improve DOD management, the subcommittee recommended a number of provisions to expand DOD's authority to acquire major weapon systems more efficiently. With respect to services contracts, we built on last year's legislation requiring improved management of the $50 billion DOD spends annually on services by establishing specific goals for the use of competitive contracts and performance-based contracting. These goals should help ensure that the Department of Defense meets contract services savings goals through specific management improvements rather than through program reductions. The bill also requires DOD to develop a comprehensive financial management enterprise architecture, and addresses recurring problems with the abuse of purchase cards and travel cards by military and civilian personnel.

I believe this bill strongly supports the readiness of our forces, both now and in the future. As the chairman of the Readiness and Management Support Subcommittee, I commend it to my colleagues.

AMENDMENT NO. 3899

Mr. President, I also rise today in support of the amendment offered by Senator LEVIN, and to join my other colleagues in supporting it, because it provides the Army with the opportunity to fully analyze options to provide organic indirect fire support. I am concerned by the manner in which the Department of Defense has handled the decision to terminate the Crusader program because it is apparent to me that the Army's views were not appropriately considered in this decision.

I have long supported the Army's efforts to transform itself into a lighter, more lethal force to meet the threats of the 21st century. I believe the Army is making considerable progress in its efforts and trust in the positions that have been advocated for the type of technology and weapons necessary to sustain both the legacy force and the objective force. My friend, Senator INHOFE, has made a good statement on this issue and I certainly support him. In most situations, I consider the Secretary of Defense to be the expert on the needs of the men and women serving in the Armed Forces. I rely on his advice and direction for what the Department needs to execute its mission of preserving our national security. A lot of my trust in his expertise and the recommendations of his staff is based on my belief that he relies upon those in the Department, both uniformed and civilian, to determine what is best for the Department of Defense.

I am having a very difficult time with this issue because it seems apparent to me that the Army is not being heard on this issue. It is disturbing to consider that decisions on Army modernization and transformation are apparently being made without timely input from the Army. I believe it is imperative for the Army to be provided with the necessary time to complete its study of the full range of options available to provide organic indirect fire support. For this reason, I support Senator LEVIN's amendment.

Mr. President, the full committee and our subcommittee have worked hard on drafting this bill. It is a bill that our country needs. I ask that my colleagues support it.

Mr. President, I yield back my time.

The PRESIDING OFFICER. Who yields time?

The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I rise to speak on the pending amendment. I am the ranking member of the Airland Subcommittee of the Armed Services Committee. On that subcommittee, I have had a great working relationship with the chairman of that subcommittee, Senator LIEBERMAN. We, for now the sixth year that I have served in this capacity, have always brought our portion of the Defense authorization bill together in a bipartisan way. We have worked together on every amendment. We have either supported or opposed amendments on the floor. We have never had a disagreement.

I am hopeful that will continue today because we have been working very hard on trying to get a resolution to the issue that is before us, which is this Crusader issue.

Obviously, as Senator AKAKA has just mentioned, the way the administration has gone about canceling this program, as we began the markup of the Defense authorization bill, has made it very difficult for us to try to make an adjustment in midstream. But we are working through that. In fact, we are in the process of active negotiations—Senator LIEBERMAN and myself, with the Defense Department—to see if we can come up with something that can accomplish the goals that have been laid out by Senator INHOFE, Senator WARNER, Senator LEVIN, and others, that are vitally important to the future of the Army and their ability to be relevant in the wars of the future.

Let me first start out by saying I agree with the comments of Senator INHOFE and Senator WARNER—there may have been others, but they are the ones I have heard so far—that we do need indirect fire or artillery fire in support of our troops on the ground; that if we are going to have troops on the ground, we are going to have some sort of weapon there to protect them and provide the fire support they need.

So the question is, Is what we have right now, as Senator INHOFE laid out, adequate? I think clearly the Army, in its evaluation of its options going forward, believed what they had was not adequate. That is why they had Crusader in their budget. That is why they had the Future Combat System in their budget.

The administration has come in—looking at what I think are real problems that the Army has—and decided the Crusader does not fit with the future of the Army. It is not lighter, it is more lethal, but it is too darn heavy to be deployed in a realistic fashion in the wars that we are going to be fighting in the future.

So they made a decision, frankly, the Army could not make. I say ''could not make.'' They obviously did not make it. And I would argue they could not make it. They have not been willing to make some of the tough decisions, in my opinion, that have led them to the problem we are facing today.

They have a big budgetary problem. Senator LIEBERMAN and I have had a variety of different hearings on a variety of different subjects throughout the last 6 years, but every year we have a discussion of this problem with the Army. This is the one recurrent theme that we have had, which is the Army is not making the tough decisions to eliminate this bow-away problem they are going to have in a few years. In other words, they are not going to have enough money to fund all the programs they believe they need.

We thought it was important they start making tough decisions to start cutting programs. We even had some concerns about some of the new programs they put in place during our 6-year tenure, such as the Interim Brigade Concept, but that is another story. We fought that, we lost, and we are willing to move on. The fact is, they did not have the money to do what was needed, to do what they wanted, what they believed was needed.

What I think the Secretary of Defense did was look at that, as Senator LIEBERMAN and I have looked at it over the years, and decided to act and to cut out a system they believed was not going to be relevant based on the experience they have had over the past several months in Afghanistan, and prior to that in Kosovo. So they made a decision.

I understand Senator LEVIN wants the Army to have more of the same. With all due respect to the chairman—and I do respect him—I think the Army has proven they cannot make these kinds of tough decisions. It is not just within their capability to do that. They have gotten rid of a whole bunch of little systems, but when it comes to the tough decisions they have had to make, they have not been able to make them or they have not been able to put a credible alternative forward to the Defense Department to keep systems going in an affordable way.

One example is Crusader. Crusader has three times the firing power of the Paladin. Yet what they ask for are the same number of Crusaders as we have Paladins. Yet the Crusader has three times the firing power.

You would think if you are being told your program is on the hot seat, that we may cancel this program, this should not be news to the Army. The President of the United States, during the Presidential elections, mentioned Crusader as a program that he might cancel. So they should be aware there is a problem.

They never offered a credible alternative to the Department of Defense to downsize the Paladin for the Crusader, to pay for it with force reduction because you need less people if you have less units. So to make this a deal that could be workable, they were unwilling to make that decision. They were unwilling to make that change because it involved force structure, and that is something the Army holds on to dearly.

So I would just argue that while I understand the concept of having the Army have its say, I think the Army had plenty of opportunity to have its say, and they were not at the table with credible proposals to make this work.

So what Senator LIEBERMAN and I have been trying to accomplish over the past few weeks, once this came to light, is to see whether we can put something together. I think both Senator LIEBERMAN and I have come to the opinion that the administration is right, that the Crusader program should be terminated.

I would add a caveat to that. The Crusader program has not yet been terminated. The Department of Defense has not terminated the contract. What does that mean? That means every single day that this contract stays in force—a contract we know the Defense Department is going to terminate—we are spending $1.5 million.

We are spending $1.5 million on a contract that we know is going to be terminated. Of that amount, a half a million dollars has no useful purpose for any future defense project.

Let's understand what we are doing. Every day the Congress puts heat on the Defense Department; both sides of the aisle and both Houses of the Congress have been putting pressure on the Defense Department not to cancel this contract.

The President has said he is canceling this contract. The Defense Department says they are going to cancel this contract. I understand we are putting pressure on them not to do it right away for a variety of reasons: We are on the floor with the bill; the House is marking up over here; there are all sorts of reasons not to do it, not to offend Congress.

I tell you what offends this Senator is spending a half a million dollars a day for nothing. I understand the relationships on the hill and all the other things going on, but I think it is unconscionable to spend a half a million dollars a day on a contract we know is going to be terminated because of congressional pressure from both bodies to cancel the contract. If you are going to cancel it, cancel it now. I could take that money, 2002 money, and use it for some better purpose.

Secondly, when it comes to this program, what Senator LIEBERMAN and I are concerned about is our ability to have fire support for our troops. We have the Future Combat System. Under the President's proposal, they have moved the Future Combat System. It is another gun, a Howitzer. It is smaller. We don't know what this thing necessarily looks like, but it is projected to weigh about 18 to 20 tons as opposed to the original 60 tons for the Crusader which has been scaled down to 40 tons now. It is still a very heavy and cumbersome piece of equipment.

What they want and what the mission and vision of this military is is to be lighter, more deployable, quicker. Why? Because we will be responding to these kinds of isolated events, and we need to be moving faster.

It makes sense that we have this system because this 1963 Paladin system will not meet the needs of the Army of the future. So we need to do this system. Hopefully everybody in the Chamber looking at the facts, once they have an opportunity to do so, will agree with me that we need this system. So what the President did in his proposal was move up. We eliminated Crusader. We moved up the Future Combat System, this 18 to 20 ton gun, from being deployed in 2014 to being ready in 2010 to 2011.

Now, what Senator INHOFE is arguing is—I think he is right—why don't we see if we can pull it up even a little further, up into 2008, which is when the Crusader was going to be deployed in the first place—see if we can move the Future Combat System up to 2008 so we can take the Crusader out of the mix but fill it in with a more relevant system.

What does that do? You have to spend the money in 2008 but you don't buy two systems. You buy one. You buy one that is more relevant to the Army.

To me that makes a lot of sense. The question is, How do we get to that? Can we afford to do that? We are going through those discussions right now. I hope we will have the opportunity.

What I asked my ranking member to convey was that we would have the opportunity to at least see if we could work out some solution before this amendment came to the floor. The amendment came to the floor, and we will have a vote, I understand, but I am hopeful we can continue to work on this issue over the next week or so to see if we can come up with a solution, working with the Army, with the Department of Defense, with Members on both sides of the aisle who would like to see this mission accomplished.

It really comes down to more money. I know that is not a plentiful thing in this bill. Everybody wants more money. What we are looking at—to give some rough figures—is that the money that is in the original bill, in the President's request, was $495 million for the Crusader program in fiscal year 2003. The President has said we will spend $195 million of that, continuing to spend that money on artillery, on this gun system of the future, because there is a technology that we were working on with Crusader as a gun system that is applicable to the next gun system. So it is a technology that we want to continue to move forward. So $195 million stays in a sense in that area.

The rest goes into basically smart weapons. Why? Because the Defense Department believes these smart weapons are the future, that what we don't need are big artillery rounds, dumb bombs being fired by big cannons and we don't know where they will hit, at least not with precision. We know generally but not with precision. Why? There are lots of reasons. Frankly, one of them is political in the sense that we are becoming increasingly concerned about collateral damage. Smart weapons reduce collateral damage, civilian casualties. The smarter the weapons, the fewer the casualties. The weapons we were going to fire with the Crusader were not designed to be smart weapons and, therefore, more casualties to civilians.

There are other reasons with respect to precision. It is cheaper. It is more effective. There are lots of other reasons.

They made the decision for that reason. I support it. I support the allocation of those resources to more smart weapons.

With respect to the 495, I think it is properly committed. The administration is very clear on that. Senator LIEBERMAN and I believe strongly that the allocation is the proper one. The question is, How do we get from this artillery piece, moving it up from 2011 to 2008 so we can have it in a more timely manner?

What we have found is, to be able to do that, we need an additional $173 million. That is a lot of money. But we have to make the decision, as a body, is it a wise expenditure of money to replace a 1963 vehicle that, as Senator INHOFE said, you still have to pull with a cord. Imagine that, we were doing that in the Civil War.

So we are going to replace this vehicle, which is slow, which is small, which does not have the firepower necessary to really protect our troops. Are we going to replace it, and what is the cost of our doing so?

I have been working with Senator LIEBERMAN and others with the Defense Department to see, No. 1, can we find some other money; and No. 2, are there some costs we will save by putting this money forward in savings to the contractor which we will terminate with the Crusader program.

We are terminating that program. When you terminate a program, there are costs associated with it. You just don't terminate and walk away. You have damages that you have to pay because you canceled a contract that you said you were going to fulfill. So there are damages. They are negotiated damages. We don't have a handle on exactly how much. But my sense is that if we put additional money in a program to move forward this other system and we make that money available, then there might be lower termination costs because the contractor necessarily isn't terminating all of their programs.

What we are trying to do is work through to see if we can't come up with a solution that terminates the Crusader, as the President rightly decided to do, so we can get rid of the program—we believe it is an obsolete program—fund the smart weapons we need to fund and about which the Defense Department is passionate—I agree with that—and at the same time get a new gun system by 2008, which is what the Crusader would have done in the first place, that is lighter and more capable, certainly, than the existing system.

In a sense what we are trying to do is see if we can accomplish everything and save the Army a tremendous amount of money and not just help with funding this system but help with the other programs that the Army doesn't have a whole lot of money for either, making them more affordable under the budget.

We are going to have to vote, I suspect, on the Warner amendment and on the Levin amendment. If that is the case, fine, we may have to do that. But I hope we can continue to work on this issue to see whether we in the Senate can come up with a solution that accomplishes everything I have just laid out, which is what I think, from talking to Members, is the objective for everybody.

I am happy to yield to the Senator from Virginia if he has a question.

Mr. WARNER. Briefly, I want to ask a question. I thought the Senator gave a very interesting, forthright, and quite courageous assessment of a situation that has prevailed for a very long time. I am not sure I fully agree with quite as strong an indictment of the Army.

Nevertheless, facts are facts. I remember joining Chairman LEVIN and going over to see Secretary Cohen years ago, shortly after General Shinseki came into office, indicating it was the view of Senator LEVIN and myself that the funds were not there to achieve the magnitude of the Army reorganization. I remember that meeting very well. I think Secretary Cohen basically acknowledged they would do what they could to fix it, and the rest is history.

The question I have to pose—and the chairman is here, and I will suggest a hypothetical—if my amendment were to be accepted by a voice vote, we would then proceed to a vote on the chairman's amendment, the underlying amendment. Does that help or impede the Senator's objectives as ranking member, working with his chairman to try to resolve that issue?

Mr. SANTORUM. I don't believe that amendment prejudices anything we are doing. My understanding is, within the context of this amendment—my hope is that we can continue to work on this, even as we are on the floor, to see if we can come up with an amendment that lays out what we need to do in 2003. I didn't get details, but there are other 2002 budget issues. To accomplish this, we need to take care of that in the supplemental. That is another issue. As far as 2003 is concerned, I am still hopeful we can come up with something; whether it is on the floor or we can resolve it by the time the bill is finished, I don't know. I am hopeful we can include it if we can resolve it. I don't see anything in the amendment that prejudices it and trying to work it out in conference.

Mr. WARNER. Last night the Senator hosted, with Senator LIEBERMAN, a meeting with the Deputy Secretary and the Secretary of the Army, and I was present. I thought the very clear explanation you made of the different challenges of 2002, how they differ from 2003, was important. I think that would be vital for colleagues to understand—particularly in the context of your concern, which I share, about the million and a half a day being expended while the Congress works its way through this bill.

Mr. SANTORUM. I appreciate that. My understanding is that if we terminated the contract—it is a million and a half dollars a day. If we terminated the contract today, there would be roughly $150 million unexpended in the program—I believe unobligated and unexpended from the program. Again, these are rough numbers, and I don't want to hold the Army to any particular number because these numbers have to be negotiated between the Army and the contractor; but the estimate we are getting is that roughly $100 million of that would go toward termination costs for the contractor in 2002 dollars, which would leave aside $40 million to $50 million, which could then be put toward the technology that is applicable to the Future Combat System.

So it gets us a start to try to move the Future Combat System from 2011 to 2008. Once that starts, it will be helpful if we can continue to move it up with an additional $173 million in 2003, which will put us in a position in 2004 to get it in a timely way.

I know the chairman gets a million requests and there is not a lot of money out there, but $173 million, even in the Senate, isn't chump change. I argue that when you are taking out a system—obviously a very controversial move—for $173 million in 2003, you can replace that system and get another system fielded in the same timeframe as the original one, which is more practical for the usage for the Army, and you have accomplished something very significant.

That is the pitch I am making. If we could make that happen, I think it would be good for the Army, and I think it would be taking what is a very difficult and troublesome situation that we have with Crusader and turning it into something very positive for everybody concerned.

I yield the floor.

Mr. LEVIN. While the Senator from Pennsylvania is on the floor, let me comment on one thing he said about the unwillingness of the Army to make the tough decision. The Army was in the middle of an analysis when it was

completely truncated unexpectedly against the commitment and statements made by the Secretary of Defense and the Under Secretary of Defense. So they were in the middle of making an analysis. It is not as though they were unwilling to make the analysis.

This is important. It is an analysis looking at seven different questions, including what are the risks of proceeding versus the risks of canceling, the alternatives, what are the costs, and what is the cost effectiveness—all of these issues, under six combat scenarios. I think the Senator would agree that these could be life-and-death decisions. Whichever way you come out on these questions, these are life-and-death decisions. The Army is in the middle of an analysis, which they were told at the end of April they should finish by May 30, and on May 6 the Secretary of Defense indicated they decided to terminate.

The analysis is important and it addresses many of the same issues the Senator from Pennsylvania addresses. I know what he is after. We want the best system we can possibly get as soon as possible. Relevant to that, surely, is the analysis of the Army looking at seven questions, including force effectiveness, benefit of each alternative; that is an issue that should be looked at, surely. We don't want to ignore what is the force effectiveness benefit of each of the four alternatives. We want to look at the capability of each alternative to support—now I am reading the questions—the capability of each alternative to support a rapidly deployed force in a small-scale contingency. That is one of the questions they are looking at. Six combat scenarios.

People say: Gee, could the Crusader have been useful in Afghanistan? That is one of six. What about in a desert situation when the Paladin cannot keep up with the vehicles it is supposed to be supporting? Is that relevant? I know how deeply involved the Senator is and how committed he is to the same goal. These are important questions. To simply, without any explanation, change course twice in 2 weeks, first saying we are going to decide this by September 30, and then saying we are going to decide this by May 30, and then say I just decided—I will soon yield the floor, but I assure the Senator from Pennsylvania that the Army was in the middle of an analysis that was due by the end of this May.

This amendment says we want that analysis finished—not just to check on the decision of the Department of Defense to end the Crusader system, but also to help us decide where we want to go in terms of some of the expenditures about which the Senator was talking. It is not just an analysis that helps us decide what course to change from, but what course to change to.

That is why we put this provision in here for this analysis. I don't think it makes a huge difference as to whether or not, frankly, we have an analysis and a period of wait or we have an analysis and then reprogramming. In either event, if the Department of Defense stays on its present course after the analysis, after the benefit of that analysis, if they decide after receiving the Army's review of these seven questions and these six scenarios and the four indirect fire alternatives—if the Department of Defense decides they want to stay on the current course, in that case they will not be prevented from doing so under either of the two alternatives—the first-degree amendment or the second-degree amendment.

That is why I tell my friend from Virginia and our other colleagues here to accept the second-degree amendment, with the understanding that we would then proceed to a vote with the support of the Senator from Virginia on the first-degree amendment.

Mr. WARNER. Mr. President, if I may just respond, that is a procedure I would endorse. I thank my colleague. In that form, the Levin amendment, as amended by Warner, would be consistent with the wishes of the Secretary of Defense and the goals and, therefore, I think I can represent it has his support. I will verify that, but I am positive I proceeded on that course this morning, and I know of no communication thus far to me of any deviation.

The Levin amendment, as amended by the Warner second-degree, would be consistent with the goals as established in the President's budget amendment and is now being sought by the Secretary of Defense.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. MILLER). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I inquire, I believe the Senator from Pennsylvania lost the floor to Senator LEVIN, in which case, if the Senator stays in the Chamber for a moment, I will not be long. I wish to respond.

Mr. LEVIN. Will the Senator from Oklahoma yield?

Mr. INHOFE. Yes.

Mr. LEVIN. The Senator from Pennsylvania did want an opportunity to respond to some of my comments. If it is consistent with the needs of the Senator from Oklahoma—I should have given that opportunity to our friend from Pennsylvania—perhaps he can now have the opportunity.

Mr. SANTORUM. I will be a minute. My criticism of the Army is not that the Army was not studying this issue when asked to do so by the Defense Department in April. My criticism is the Army has not made a decision for quite some time with respect to——

Mr. INHOFE. Parliamentary inquiry, Mr. President. Who has the floor?

Mr. SANTORUM. If the Senator from Oklahoma——

The PRESIDING OFFICER. The Senator from Oklahoma has the floor, but the Senator from Oklahoma yielded to the Senator from Pennsylvania.

Mr. INHOFE. I will yield to the Senator from Pennsylvania——

Mr. SANTORUM. Go right ahead.

Mr. INHOFE. If at some point I can get back in.

Mr. SANTORUM. I appreciate that. I will be quick because as hard as Senator LIEBERMAN and I have worked, Senator INHOFE has worked 10 times as hard. I do not want to take up his time.

That has been my concern with the Army, that they have not made tough decisions, not that they were not studying this issue at the request of DOD when they visited with them that they may be canceling this program. That is No. 1.

The reason I have some concerns with moving forward this study—by the way, I understand the Army is already moving forward and studying this; they are doing the study right now—is it is very clear to me the Department of Defense is canceling this contract. A study can go forward, but they are canceling the contract.

We can say we do not want you to cancel the contract. We can say a lot of things. But they are going to cancel this contract, and we are spending $1.5 million a day on a contract they are going to cancel. The President has been very clear about that.

We can get into a big fight. My problem is twofold. No. 1, I think they are right. Even that aside, even if I think they are wrong, if we fight this thing out, if we have a big to-do, we are pushing this system back to gosh knows when we are going to get this artillery piece.

I am doing it this way: Did they do every procedure right? I think the Senator from Michigan said it pretty well. They asked for an analysis, and then a few days later they killed the program. I would argue that is not right.

Is it the right decision? I would make the argument it is the right decision. Was it gotten in the right way? No, it probably was not gotten the right way, but it is the right decision, it is a decision they made, and I think they are going to stick to it.

I am trying to see if we can craft something, in working with the Army, to keep some continuity so we can bring an artillery piece on at an appropriate time to meet what the Army believes they need, and I would agree with them to do it.

I will support this amendment. I will sit down. The reason I would have problems supporting this in conference is if this is the position we want to take in conference—I think it is vitally important and one of the reasons I wanted to deal with it on the floor—if we can find that $173 million piece for next year and if we put this amendment in and say we will wait until the analysis, then there is no chance of getting that money and bringing this system up.

That is the problem I have with this amendment. I think the Senator from Michigan has every good intention with this amendment. I have no problem with what he is doing, but I think we need to continue to work on this to

see if we can find a solution. If we cannot, I am willing to accept the Senator's amendment. I am willing to go to conference and even accept it at that point, but if we can do something to try to move this system forward, I think we should make every effort to do so. That is all I am suggesting.

Mr. LEVIN. Mr. President, will the Senator from Oklahoma yield for 2 minutes for a quick response?

Mr. INHOFE. I yield.

Mr. LEVIN. The suggestion of the Senator from Pennsylvania that some $170 million be added for some modification in the President's new budget proposal is proof of the fact that the analysis is necessary because what the Senator is proposing is different now from the administration's budget amendment. That is how fast these things change. That is point No. 1.

It seems to me what Senator SANTORUM is arguing is exact evidence of the fact that we need to complete the analysis which was truncated.

My second opinion: This is not a unilateral decision by the administration. No expenditure of funds is unilateral. There is a House of Representatives. There is a Senate. The House of Representatives has decided on a certain source of action, and in that course of action, they do not want this contract canceled. We have to go to conference with whatever we do. This is not just a decision that has been made and it is over. They should have had the analysis before they made the decision. They did not. We should still have the analysis before we decide what is the next course for these Future Combat Systems. It is just possible at least—possible—that when the analysis that was terminated prematurely is completed, that actually might affect the administration's plans.

On both points I would have a difference with our friend from Pennsylvania.

I yield the floor. The Senator from Oklahoma has been very patient.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I thank the Senator from Michigan.

Mr. INHOFE. Mr. President, I was given by Senator DAYTON a list which I believe should be printed into the RECORD. This is a list of 28 retired four-star generals who have very strong support for the Crusader program. Each one has done op-ed pieces. I ask unanimous consent the list and several letters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RETIRED 4-STAR GENERALS WHO STRONGLY SUPPORT CRUSADER AND ROBUST INDIRECT FIRE FOR SOLDIERS IN COMBAT

Gen Richard E. Cavazos, Commanding General, FORSCOM; Commanding General, III Corps; Commanding General, 9th Infantry Division.

Gen John W. Foss, Commanding General, TRADOC; Deputy Chief of Staff, Operations, U.S. Army; Commanding General, 18th Airborne Corps; Commanding General, 82nd Airborne Division.

Gen Frederick M. Franks, Commanding General, TRADOC; Commanding General, VII Corps, Gulf War; Commanding General, 1st Armored Division.

Gen Ronald H. Griffith, Vice Chief of Staff, U.S. Army; Inspector General of the Army; Commanding General, 1st Armored Division, Gulf War.

Gen William H. Hartzog, Commanding General, TRADOC; Deputy Commander in Chief, Atlantic Command; Commanding General, 1st Infantry Division.

Gen Jay Hendrix, Commanding General, FORSCOM; Commanding General, V Corps; Commanding General, 24th Infantry Division; Commanding General U.S. Army Infantry Center.

Gen Donald R. Keith, Commanding General, Army Materiel Command; Deputy Chief of Staff, Research and Development, US Army.

Gen Fritz Kroesen, Vice Chief of Staff, U.S. Army; Commanding in Chief, U.S. Army Europe; Commanding General, 18th Airborne Corps; Commanding General, 82nd Airborne Division.

Gen Gary Luck Commander in Chief, U.S. Forces Korea; Commanding General, 18th Airborne Corps, Gulf War; Commanding General, Joint Special Operations Command; Commanding General, 2nd Infantry Division.

Gen David M. Maddox Commander in Chief, U.S. Army Europe; Commanding General, V Corps; Commanding General, 8th Infantry Division.

Gen Barry McCaffrey U.S. National Drug Policy Director; Commander in Chief, U.S. Southern Command; Commanding General, 24th Infantry Division, Gulf War.

Gen Jack Merritt Senior Military Representative, NATO; Former President, Association of the United States Army.

Gen Butch Neal Assistant Commandant, Marine Corps; Deputy Commander in Chief/Chief of Staff, CENTCOM; Commanding General, 2nd Marine Division.

Gen Glen Otis Commanding General, TRADOC; Commander in Chief, U.S. Army Europe; Commanding General, 1st Armored Division.

Gen Binnie Peay Commander in Chief, CENTCOM; Vice Chief of Staff, U.S. Army; Commanding General, 101st Airborne Division, Gulf War.

Gen Denny Reimer Chief of Staff, U.S. Army; Commanding General, FORSCOM; Commanding General, 4th Infantry Division.

Gen Robert RisCassi Commander in Chief, U.S. Forces Korea; Vice Chief of Staff, U.S. Army; Commanding General, 9th Infantry Division. (High Tech, Motorized).

Gen Jimmy Ross, Commanding General, U.S. Army Materiel Command; Deputy Chief of Staff, Logistics, U.S. Army.

Gen Lee Salomon, Commanding General, Army Materiel Command; Commanding Genera, 9th Infantry Division.

Gen Thomas A. Schwartz, Commander in Chief, U.S. Forces Korea; Commanding General, FORSCOM, Commanding General, III Corps; Commanding General, 4th Infantry Division.

Gen Robert W. Sennewald, Commanding General, FORSCOM; Commander in Chief, U.S. Forces Korea.

Gen John Shalikaskvilli, Chairman, Joint Chiefs of Staff; Supreme Allied Commander, Europe (SACEUR); Commanding General, 9th Infantry Division (High Tech, Motorized).

Gen Gordon Sullivan, Chief of Staff, U.S. Army; President, Association of the United States Army; Commanding General, 1st Infantry Division.

Gen John Tilelli, Commander in Chief, U.S. Forces Korea; Vice Chief of Staff, U.S. Army; Commanding General, FORSCOM; 1st Cavalry Division Commander, Gulf War.

Gen Carl Vuono, Chief of Staff, U.S. Army, Gulf War/Just Cause; Commanding General, TRADOC; Commanding General, 8th Infantry Division.

Gen Louis C. Wagner, Jr., Commanding General, U.S. Army Materiel Command; Deputy Chief of Staff, Research and Development; Commanding General, U.S. Armor Center.

Gen Johnnie E. Wilson, Commanding General, U.S. Army Materiel Command; Deputy Chief of Staff, Logistics, U.S. Army.

WILLIAMSBURG, VA.

Editor:
Chicago Tribune

Your editorial of 8 May, ''Killing the Crusader'' provided your readers with a very one-sided view of the ongoing debate over the wisdom of killing the Crusader. There is another side to the argument based upon my experience as a commander of infantry, armor and airborne units in peace and in war in many parts of the world.

You posed the question of Crusader as a battle of a visionary Secretary of Defense against backward Cold War thinking generals, entrenched bureaucrats and members of Congress interested only in jobs in their districts. Secretary Rumsfeld did assert that he wanted to kill the program so the money could be invested in new technologies for a more modern force. He has not yet identified his vision of the conflicts of the future nor of the technologies that would lead us there quickly.

The Crusader is not a Cold War leftover. It was designed and initiated after the Gulf War to address a long-standing shortfall in the range and rate of fire over our known and potential adversaries (Yes, Russian artillery has had a longer range and a higher rate of fire than US artillery since World War II and provided it to Iraq). Division commanders from the Gulf War rated an improved howitzer as the most important deficiency to be addressed. The 1960's howitzer, upgraded several times, slowed the advance of our forces since it couldn't keep up. You were right in saying the old Paladin needed to be replaced but wrong in saying the Crusader would be obsolete by the time it's fielded. There is nothing identified nor started to replace the Crusader and there probably won't be anything for years to come.

Eventually all this comes down to taking a risk. Trading Crusader for some hopeful technology of the future puts the risk on the ground soldier. If Secretary Rumsfeld is fortunate and we have no unexpected conflicts before his revolutionary force is fielded then it will be a risk worth taking. If the next conflict (and we have a hard time predicting them) involves some serious ground combat (Iraq?) then the soldiers and not the bureaucrats nor generals will feel the effects of the risk.

We can have a new revolutionary force in the future but we need to retain a trained, ready and equipped force in the interim. Both the Secretary of Defense and the Congress play a role in this process. It should not be a battle between them. Soldiers could suffer.

Sincerely,

JOHN W. FOSS,
Gen, US Army (Retired), Former Commander of the 82nd Airborne Division and the XVII Airborne Corps.

Editor:
Los Angeles Times

The op-ed article by Michael O'Hanlon on May 9, ''Killing the Crusader,'' suffers many of the same ailments found in many such writings; he is only half right. He is exactly

correct when he notes that the Crusader advanced artillery system could help in a situation like Korea. I would quickly add Iraq. In fact, potential hostilities in Korea or Iraq only highlight the value of a versatile system such as the Crusader.

His error comes in saying Crusader is designed just to slug it out with the Soviet Union in Central Europe. Quite the contrary is true; the lethality, versatility and 21st century technology of this weapon makes it an imperative for supporting our forces on any future battlefield.

As a nation we do not have the luxury of picking our adversaries. Rather, recent history shows that America must expect the unexpected. A case in point is Operation Anaconda in Afghanistan, which would have benefited greatly from the Crusader—which is highly mobile, can fire faster and farther with extreme accuracy, and outdistances current artillery.

Likewise, all conflicts in the future will not involve neat and clean battlefields where air power or other systems like long-range rockets will be constantly available or useful. We must have the firepower to take out air defenses, communications, drive out entrenched enemies, provide lethal cover for our ground troops, and operate in all types of weather with either volume or precision fires.

Speaking from the perspective of a Marine and from our nation's experience in Desert Storm, I know first-hand that we must support troops on the ground with overwhelming firepower under all conditions—including the times when air power is not available. That, in precise terms, captures the unpredictable threats of the new century that make Crusader so absolutely essential.

GEN. RICHARD NEAL,
Former Assistant Commandant, U.S. Marine Corps, Deputy Director of Operations, Desert Storm.

NOVEMBER 5, 1997.

Mr. PHILIP ODEEN,
Chairman, National Defense Panel, Crystal Mall 3, Suite 532, Arlington, VA.

DEAR SIR: We have followed with interest your recent comments about the need for a ''transformation strategy'' for the Department of Defense and the nation's armed forces. We understand your focus on trend lines and their impact on force structure, personnel savings, readiness, and training. It is with these points in mind that we write, to clarify what we believe are some critical misconceptions about the Army's advanced field artillery system and its contribution to the future Army.

As you know, the Army is a leader in taking charge of its future through near-term evolution to Army XXI and then possible semi-revolution in Army After Next. The Army sees Army XXI digitized, mechanized forces as it ''cord'' force, while a more revolutionary light, super-mobile, elite ''battle force'' might served a halting and fixing capability in Army After Next. None of us knows how this concept will finally play out, but we do see Crusader as an essential part of any Army XXI *and* and AAN decisive fighting force.

The Crusader system is a technological leap-ahead, achieving the first U.S. Army artillery overmatch since the end of World War II. Its mobility unleashes the combined arms team . . . a role that its predecessor, Paladin, cannot fill . . . just as the Bradley fighting vehicle enabled the maneuver force to exploit the mobility of the Abrams tank. Crusader is an essential component of Information Dominance. Fielding it allows us to fight with rapid, long-range fires and to take maximum advantage of the digitization of the maneuver force. This ''smart'' system knows where it is at all times, computes its own fire missions, point the gun, and fires the mission, under soldier supervision. No other system approaches its ability to deal with the plethora of targets generated in an information dominance environment.

Years of analysis, using varying threats and scenarios, attest to the need for Crusader. Crusader is more than three times as effective as the Paladin. With its technology investment, the advanced field artillery system will provide three times as much lethal fire support to the maneuver force and survive three times as long as the system it replaces. Its accuracy enhancements make it possible to achieve effectiveness on a target-by-target basis by firing 32 to 50% fewer rounds, depending on the nature of the target. In comparison to other unique fire support means, like rockets, Crusader is more economical by weight and cost. For example, to achieve equal effects against a mechanized infantry company, Crusader fires 30 rounds while MLRS fires seven rockets. In terms of weight and cost of ammunition, Crusader projectiles and propellant weigh 37% and cost 71% less than the seven rockets. Analyses have shown that Crusader enhances the contribution of both the cannon and rocket components of the field artillery system.

Because Crusader exploits the capabilities of information dominance and situation awareness, it enables the force to engage more targets. In study after study, Crusader increases overall force effectiveness by over 50%. This is an unprecedented impact for a single weapon system. The awesome contribution of Crusader, especially using precision munitions, provides revolutionary gains in combat power that challenge current maneuver-fire support assumptions.

You raised the potential for savings in force structure and personnel through technology. The technology advances in Crusader have enabled the Army, in anticipation of its fielding, to already reduce the number of cannons per battalion by 25% and the number of soldiers by 16%. When Crusader is fielded, the Army will realize additional manpower savings as every crew will be reduced in size to three men who sit at cockpit-style workstations, are supported by decision aids, and drive by wire. Automation has removed the requirement for the crew to handle rounds and propellant in firing and resupply.

These attributes have obvious strategic deployability and logistical footprint implications. The force needs fewer Crusaders, and those Crusaders kill many more targets using a given amount of ammunition. Hence, the Army can deploy a Crusader capability equal to Paladin's with 50% less strategic and 38% less intratheater lift.

We see Crusader as vital to Army XXI and the mechanized portion of Army After Next. Fielding Crusader clearly addresses the issues you have raised, significantly increasing force effectiveness while providing manpower, sustainment, readiness and training cost savings over its life cycle because of reduced personnel requirements, automated systems, embedded training, and improving reliability.

John W. Foss, General, USA (Ret); Donald R. Keith, General, USA (Ret); Jack N. Merritt, General, USA (Ret); Carl E. Vuono, General, USA (Ret); Frederick M. Franks, Jr., General, USA (Ret); Gary E. Luck, General, USA (Ret); Glenn K. Otis, General, USA (Ret); Louis C. Wagner, Jr., General, USA (Ret); Ronald H. Griffith, General, USA (Ret); David M. Maddox, General, USA (Ret); Gordon R. Sullivan, General, USA (Ret).

ALLIED RESEARCH CORPORATION,
Vienna, VA, May 10, 2002.

Senator JOHN WARNER,
Russell Building, Washington, DC.

DEAR SENATOR WARNER, A too long personal letter and my ''up-front'' apology for same . . . but an issue I feel passionately about. I write to you as a warfighter with almost 40 years in uniform that includes battery level combat command in Vietnam, command of the 101st Airborne Division in the Gulf War, and 3 years at CENTCOM and numerous operations to include Iraq, Somalia, and Ethiopian wars; as a former Vice Chief of Staff, U.S. Army with responsibilities for managing the development of future Army systems and operating under constrained budgets; as a Chairman of the Board and CEO of a defense company headquartered in northern Virginia with clear insights on the posture of our nation's industrial base and finally, I write to you as native Virginian and you as my Senator . . . a leader with a long career of public service as Secretary of the Navy and leader in the SASC and Senate.

Failure to go forward with the CRUSADER howitzer program is a national strategic mistake of proportions that principally only Army and Marine leaders truly understand. Regretfully, the issue in Washington today has become embroiled in civilian control emotions and service in-fighting as each postures for their future (roles and missions) while recovering from years of budget downsliding. At the end of the day, Congress is responsible for raising Armies and thus my letter to you. I believe the following points are relevant to the final CRUSADER decision:

1. BALANCE

(A) There must be balance in our air and ground arm today and tomorrow. Today, that means understanding the fog and friction of war in ensuring that fires are always available regardless of communication and intelligence failures, bad weather or simply unavailability. Tomorrow, that means understanding that our enemies will develop counteracting strategies. We have a grand Air Force and my record shows I'm a great supporter. But history is replete with examples of enemy responses, whether it be enemy actions at Guadalcanal impacting naval positioning and the continuous support of committed marines (thus the dedicated Marine air arm today) or the future, where the introduction of lasers on the battlefield will undoubtedly impact the air delivery of ordnance and other air platforms performing intelligence, command and control, and air defense missions. Are we no longer to have howitzers as a major contributor to the fight? Balance . . . a requirement today and tomorrow.

(B) There must be balance between precision missiles and high explosive (HE) precision and non-precision munitions in support of soldiers and marines requesting ''close support fires''. The battlefield today requires precision and massed area fires delivered simultaneously over vast distances to suppress enemy air defenses, prepare landing zones for airborne and air assault forces, and defeat massed forces. And at times our forces require diversified munitions and continuous close fires to ''disengage'' from the enemy and often this is a mix of smoke, HE, white phosphorus, illumination and other munitions. And somewhere in all of this is the need to understand costs. Bombs, missiles, and howitzer delivered munitions each provide balance and are needed. But when it comes to truly close continuous fires, it is cannon field artillery delivered munitions that a soldier or marine principally uses due to safety, the angle of fall of the projectile, and their organic control.

(C) Currently allies and adversaries are rapidly developing a mixture of missile and gun solutions that ensure balance. European, Chinese, and middle eastern and Gulf armies are increasingly procuring advanced self-propelled artillery. Today the U.S. Army is comparatively far down (9th) on the list of cannon artillery and our most advanced system (the Paladin) is 40 years old. It is interesting to note, that our Navy (which has been thru numerous examinations of guns versus missiles) has the very essence of CRUSADER embedded in its approach to the advanced gun system for the DD(X), and our Marine Corps is vigorously enhancing its regiments with advanced howitzers and HIMARS, and it has its own organic air support. Balance!

2. TRANSFORMATION, MODERNIZATION AND READINESS, AND DETERRENCE

(A) CRUSADER is a transformation system and its fits perfectly in the Army's Objective Force. It is a ''far different'' system than that described only two years ago. Its weight has been cut by a third; its crews save manpower, its technology is unmatched. As such, the Army has already changed its future manning and equipment documents to realized these breakthroughs and capabilities by eliminating tanks, personnel careers, howitzer sections and personnel from its requirements. This CRUSADER howitzer is on time and target in terms of its production milestones and is performing magnificently in tests. Its cost as a major weapon system is a modest $9–11 billion well below the cost of other service systems.

(B) Many call for skipping a decade of systems. We have already done that many times over. We will never field systems if we continue to kill them just as they are ready to go into full-scale production after years of work by our industrial base. Some say, ''move the technologies to the tech base or to a new FCS system'' ..., yet nothing really exists except draft concepts on paper and vugraphs. It will be years before the next prototype system is available. Thus, once again we delay modernizing the force introducing cost readiness problems and, importantly, weakening our industrial base. The wealth of engineering excellence assembled around the CRUSADER program will be lost, rapidly impacting armored vehicle industrial base capabilities which today principally resides in only two companies. Deterrence has many components. The presence of modernized heavy land forces and a solid industrial base are not lost on our adversaries.

(C) Today, we all understand the advent of asymmetric warfare. We predicted years ago that it was coming. Nevertheless, we should not lose perspective that the future will involve combinations of asymmetric, conventional, and WMD actions. We should note the pictures of armored vehicles, tanks, and artillery in the latest city fighting in the Middle East. Skipping decades to meet threats of the future briefs well. World events have never allowed us to do that and there is not nearly enough money in the world to transform entire Armies in short duration. Thus, we've always modernized systems and parts of systems and then fought them in high-low mixes of heavy and light forces and mixtures of modernized and un-modernized systems based on the spectrum of conflict. Today, it is Iraq, Korea and Afghanistan. Tomorrow it could be Colombia, Iran, Taiwan, China, a different emerging Russia or the entire set of Middle East nations. Whoever would have even been close to predicting our deployments from Desert Storm to Enduring Freedom during the past 10 years? Deterrence is a major price of our national strategy and CRUSADER'S role in support of Army forces is a key visible ingredient to that strategy.

Finally, this decision has become a very personal at the highest levels. Regretfully, it started with a Presidential campaign debate with uniformed aides beating the agenda for change, long before discussions with seasoned warfighters would or could take place. Courage to admit that the CRUSADER system has radically changed since that time, and that there is a clear need for the system in an uncertain world (by our leadership) would only raise one's respect for their wisdom. The Army has always been transforming. Transformation in form of revolutionary or evolutionary approaches will only survive when wisdom dominates national security decision-making. This is a dangerous, complex business. Wisdom is ''Balance'' learned from history. Wisdom is understanding the complexities of modernization and its impact on readiness and deterrence. Wisdom is listening to warfighters and professionals who have spend their lifetime fighting and studying the art of war. CRUSADER cuts across all of these issues today.

Thursday, you will speak at the graduation of the Class of 2002, at the Virginia Military Institute...many of these graduates will very shortly be leading soldiers and marines in ground combat. I hope they will be provided the ''balanced'' fire support to do their job. I also hope they will never have to lead our nation's youth in combat because deterrence worked. The wise decision resoundingly supports fielding CRUSADER as soon as possible.

Sincerely,

J. BINFORD PEAY.

MAY 16, 2002.

To the Members of the U.S. Senate and U.S. House of Representatives:

The misinformation filling newspapers concerning the Crusader program is troubling. Decisions to support military transformation are key and must be reached through fact and analysis.

Crusader is a smart gun. Its development began in 1995, after the Cold War ended and Iraq was defeated. Crusader was a key part of then Army Chief General Gordon Sullivan's vision to digitize land forces around the power of the microprocessor. Furthermore, Crusader has been specifically redesigned for C17 deployability, refuting the popular myth that it is too heavy for 21st Century operations. For example, Crusaders could have been on the ground in Afghanistan in less than 24 hours.

As we have heard repeatedly from the U.S. Army's leadership, land forces need cannon artillery to provide dedicated responsive fires in support of soldiers on the ground around the clock, and in all weather. Precision strikes from bombers, missile systems, and unmanned aerial vehicles will complement, not substitute for Crusader's capability. The decision to terminate Crusader should be based on an analysis of alternatives using defined strategy and scenarios, which includes a thorough assessment of cost effectiveness and technology risk.

The Crusader program is on cost, on schedule, and exceeding performance objectives. This system has already fired over 6,000 rounds and demonstrates ranges exceeding 40 kilometers, rates of fire beyond 10 rounds per minute, and three times the lethality of currently fielded systems. Crusader also brings proven technologies in leading-edge robotics, sensor-to-shooter architecture, crew cockpits, and advanced materials.

The taxpayers of this nation have invested nearly $2 Billion in the development of Crusader. At a minimum, this model program deserves a thorough assessment before it is canceled and America's investment is thrown away. More importantly, the soldiers of today and tomorrow should be assured that the decision to terminate Crusader is based on compelling evidence that proposed alternatives will be there to provide the same needed responsive precision fires on future battlefields—we know not where, when, or under what circumstances.

Sincerely,

FRANK C. CARLUCCI,
JOHN M. SHALIKASHVILI,
General, USA (Ret.).

Mr. INHOFE. Mr. President, let me comment in response to some of the statements made by my distinguished and very close personal friend with whom I came to the Senate from the other body in 1994.

Mr. President, will the Senator from Pennsylvania stay here? I was going to respond to some of the comments he made. First, I state in the strongest possible terms that there is no person I think more of than Secretary Rumsfeld. There has been a problem in this whole debate, and that is that he is busy managing a war right now. He has other things on his mind other than what our Future Combat System is going to be.

Consequently, while they said, yes, we want to cancel the program, whatever the immediate motivation was, the Secretary made that decision, and, quite frankly, I do not believe—in fact, I am certain of it—at the time the decision was made he did not take into consideration the termination costs.

As recently as last night in the office of the distinguished Senator from Pennsylvania, General Armbruster made the statement it would cost about $290 million without a bridge. So we are talking about a very large amount of money.

I am concerned about $1 million today, $.5 million, $1.5 million, depending on how one wants to calculate the delay. I do not want to delay it. Let's keep in mind, the Senator from Michigan is correct when he said the Army has been preparing to do this for a long time. The Army has downsized in anticipation of having the capability that would come with the Crusader. In a minute I will say it could be the Crusader or something that would give us a capability that would certainly satisfy me as just one member of the Armed Services Committee.

There are a couple other issues I want to clarify for the record. The Senator from Pennsylvania made the statement that with something that has three times the firepower, why don't they lower the expectations as to how many platforms they need.

I say to the Senator from Pennsylvania, at one time they were talking about 1,200 Crusaders. It is now down to 480 Crusaders. That is the most recent. I also say at the same time that the firepower, the rate of fire, is not just 3 times greater, it is 10 times greater in terms of sustained fire. That is critical. We have already downsized the request to 480 from 1,200.

The cancellation of the Crusader most likely is going to happen. That is what the Senator has been saying, and I agree with the Senator from Michigan that the Secretary of Defense is

not going to do that on his own. If he had strong opposition in both the House and the Senate, then there is a process whereby he would have a difficult time doing that unilaterally, and I believe that is very proper. In this case, when you are talking about an alternative system that might accomplish the same thing, this has been the compromise we have been talking about now. The House was not talking about this. They want to go full bore ahead with the Crusader.

We have said if what we want to accomplish is to have an artillery capability by 2008, the same year the Crusader would have come on board, it can be done in other ways. I have suggested another way would be to say: Administration, you are right, but we need to get it down from 40 tons to 20 tons. We need to have something that is going to be faster and lighter, that will still give us some superiority on the battlefield and do it by the same year, 2008. That is a reasonable expectation. I think most of the Senators on the committee would say that would be a good alternative if that were done.

In order to do it by 2008—this is something nobody disagrees with—it is going to have to be done by using the same people who gave us the technology we have today, and we are going to have to use the same technology. To use that, it can be done, but we are going to have to construct something to allow that to be done. If we do not, and if we say, all right, we are going to open it up for bids at the end of milestone B, for example, then that is going to delay the process for a long time, and most likely that team that gave us the technology of the future would be dispersed and working elsewhere. So it would be very difficult.

The last thing I want to mention is the disagreement I have with the statement of the Senator concerning the dumb bombs. Yes, we need the Excalibur, we need to have the MLRS, we need to have all the rocket technology that goes with it so we can be pinpoint accurate, but when it comes to cover, every general and every person in uniform coming before our committee has said, you have to have that, but you also have to have dumb bombs.

If Excalibur were fired right now, the cost of that would be $200,000 for a round. It has to be fired out of something. We do not have anything to fire it out of right now. We would with the Crusader. We would if we had this alternative we are suggesting so we would be able to use it. If we use MLRS, each round is $36,000. That has to be considered on the battlefield. But if you want to send a bunch of dumb bombs to give cover to our troops who are otherwise naked, that can be done for $200 a round.

I contend—and I have heard such testimony from those in uniform—that we have to have that capability. If we have to have that capability, we are going to have to have all that capability in one unit. That is where FCS comes in. There are about five major components of FCS. Sure, the way I want to go would make sure we get the first component, the artillery capability, by 2008. To do that, we would have to give it some degree of priority; $173 million additional would do that. We have heard that testimony. At the same time, I want the other components, too.

I will stand here and say, whatever influence I have on this committee, I am going to use that influence to get the rest of these components to reach the Future Combat System that everybody is in agreement we want. The only disagreement we have is there are some who say only the Crusader is going to be able to do this. I do not believe that. I think we can do that if we keep the technology and the team together and do it in another vehicle.

Those are the areas I wanted to address. I have to say to my friend from Pennsylvania, I really believe we want the same thing. We want that capability by 2008, and we have ways of getting there. We may have to do it in conference. I think the Levin amendment is going to be important at this point to go ahead and get us in the right posture in conference, and I commit to everyone that I will work to achieve that goal that both of us want.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I commend the Senator from Oklahoma. In committee, when this issue came up, we were not on the same side of the issue. I was clearly supporting the President's request and the Senator from Oklahoma was not, and I have found that in working with him, he has provided a path out of this very difficult conflict. That is why I completely agree with the statements he has made, that there is an opportunity to try to accomplish everything that I think most members of the Senate Armed Services Committee believe need to be accomplished, which is to have a new system up by 2008, to save money in the Army procurement project, which is badly underfunded, and at the same time transition these technologies we have with the Crusader on to the Future Combat System.

From my perspective, it comes down to an issue of money. It comes down to an issue of whether we can find money in 2003, in this budget, in this authorization bill, to get together the concept demonstrator we need. Hopefully, we can start this year with 2002 funds and move forward with the $173 million for next year. That is not going to be easy to do. I am not sure we are going to be able to accomplish this on the Senate floor or we are going to be able to get this agreement. Maybe we even should not. Maybe this should be an issue we work out with the House and do it in conference when we have more people who will participate in it.

I will say, without the leadership of the Senator from Oklahoma on this issue, I do not think the ability to accomplish all the things I laid out would have been possible. The Senator from Oklahoma and I understand Fort Sill is in Oklahoma, and I understand a lot of the Crusader work was going to be done in Oklahoma. Also, I understand this is an issue where the Senator could have come out by saying, I am going to go down with the ship on Crusader and I am going to fight for the folks back home in the sense that there are these jobs. But the Senator from Oklahoma, I have found, has always been doing what is in the best interest of the men and women in uniform.

What he has proposed is exactly that. It is not a homer kind of proposal. It is anything but that. It is a proposal of what is in the best interest of the people who are in uniform, and I commend him for his leadership. I commend him for his innovation. I am hopeful we can get our folks from the other side of the Capitol in the House to work with us on this, and hopefully the administration will see the wisdom of taking an issue which is very divisive right now and being able to turn that very divisive issue, that could be very much a flashpoint, confrontation point that can be very damaging to our men and women in uniform, by delaying any system for quite some time, and see this as an opportunity to be able to accomplish all we want to accomplish, which is to field the system, save the money, and have the capability we need to protect our men and women.

So I commend the Senator for his leadership and look forward to working on this issue over the next weeks as we finish in the Senate and go to conference.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, in order to try to facilitate the important debate we are having and bring it to some conclusion with regard to the desires of the chairman to have votes, the chairman and I have discussed the following, and we would like to entertain thoughts from others: That the amendment of the Senator from Virginia in the second degree would be accepted by the chairman. He would presumably so state. We then proceed to a rollcall vote on the chairman's underlying amendment.

However, the distinguished Republican leader, Mr. NICKLES, is engaged in something that is important he complete. I understand he can be present by 2 p.m. because he, likewise, wishes to address this issue. So on the assumption he can be present between 2 p.m. and 2:10 and that his remarks would take no more than 15 minutes, could either the distinguished Senator from Oklahoma or the distinguished Senator from Pennsylvania indicate to me, and therefore to the chairman, a reason we should not then go to a vote shortly after the conclusion of the remarks by the Senator from Oklahoma, Mr. NICKLES?

Mr. REID. Will the Senator from Virginia yield?

Mr. WARNER. Yes.

Mr. REID. What we want to do, as I indicated, is to have the vote at 2 p.m. Senator NICKLES, who is vitally interested in this matter, wishes to speak. We now have a chance and are preparing a unanimous consent request to give Senator NICKLES whatever time he needs and vote following his remarks.

Mr. WARNER. OK.

Mr. INHOFE. If the Senator will yield, first, yes, that would be acceptable to me. Quite frankly, I would like the Levin amendment without the second degree. It gives the administration and our committees more authority than without the amendment. However, I certainly would accept that and would want to agree to the votes.

My senior Senator from Oklahoma is here now and mentioned he wanted to be heard.

Mr. REID. Through the Chair, I ask the Senator from Virginia, and I direct the question to the Senator from Oklahoma, we were going to have you speak at 2 o'clock for a half hour; Is the Senator ready to give his remarks now?

Mr. NICKLES. Sure.

Mr. REID. Could the Senator be finished by 2 p.m.?

Mr. NICKLES. Definitely.

Mr. REID. We will have the staff look over the unanimous consent request and have a vote at 2 p.m.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. I thank my friend and colleague from Nevada. I am pleased we will vote soon on the Levin amendment which I strongly support. I understand it will be modified by the Warner amendment, which is also acceptable to this Senator. I am not positive we needed it, but we want to make the administration happy.

What is most important is we provide our men and women in the military, in any branch, in any division, with quality equipment, equal to or superior to our competitors. I hate to say this, but it happens to be factual. We are not superior to our adversaries or potential adversaries when it comes to artillery.

Fort Sill is the home of the artillery training base for the Army. A couple of weeks ago I visited the base, as I have done several times. I sat in the Paladin, our latest artillery weapon, and fired it with our men and women who were operating the cannon. I realized and was embarrassed at how obsolete it is. The chassis, the basic framework of the wheeled vehicle that they were using, was built in the early 1960s. The cannon was also loaded exactly as it was in the early 1960s. In fact, the cannon is loaded the same way Napoleon was loading cannons.

I was surprised, dismayed, and more than convinced we need to upgrade the system. The Crusader serves as an update that modernizes the system. The Crusader has a mechanized, automated loading system. The Paladin came online in 1994, as if it was a new system. The chassis and the loading mechanism is identical to what we had in the early 1960s. It is the same method and mechanism during the time of Napoleon and the Civil War. The individual would manually load the projectile, which in this system 155 millimeters looks like a big bullet. It is very awkward, very heavy, very cumbersome, and weighs about 100 pounds. It is manually lifted from the floor or off a rack, inserted on a loading device, and shoved into the barrel. Then they shove in some packing, basically an explosive device, similar to powder. They shove it in manually behind the projectile. They close the breech. They put in a firing pin with a cord and yank it. It explodes and they open the breech. They take a sponge and they swab the inside of the barrel to make sure it is still not hot and will not have another premature detonation.

That is the same method used in the Civil War. The first couple rounds they might be able to do about three a minute. After a couple of minutes, they can only do about one a minute because the barrel gets pretty hot and they have to wear gas masks if they do very many because they are in a closed environment and get exhaust fumes. If these masks are not worn, the fumes can be hazardous to the health of the women and men operating the machines. In other words, this system is very obsolete. It needs to be replaced.

I started looking at our competitors. Not one country, not two countries, several countries have a more efficient and more effective system.

I am not chairman of the Armed Services Committee and I have not served on that committee. I have great respect for Senators LEVIN, WARNER, and INHOFE, but I cannot think of any major weapons system where we are behind several countries in quality of equipment. I don't want to find our planes are inferior to any other country. I don't want to find our ships are inferior to any other country. I don't want to find our intelligence capability is behind any country. I don't want to find our weapons, our guns, our cannons inferior to any country.

Unfortunately, in this case, our cannons are inferior. There are six countries that have greater capability in what I call ground support and cannons than we do. Britain, South Africa, Russia, China, Germany all have cannon artillery systems superior to ours, some in refiring capability, some in accuracy, some in speed.

We need a new system. The Army recognized this for a long time and came up with the Crusader. The Crusader is far superior to every system I mentioned. The administration decided to cancel the Crusader. I don't agree with that decision. They made the decision that we needed something lighter. I can go with that as long as we still have a superior system to other countries, to our potential competitors and even our allies. I don't want our systems inferior to the Germans, South Africans—although they are allies—the Russians, and the Chinese. I want us No. 1 militarily. You don't want to be in military conflict and find you are a close second. That is not good enough.

We need a superior system. The Crusader would be that. I know some are talking about maybe scaling down the Crusader. The Crusader was originally 80 tons, and now 62, and now going to 40 tons. Some are saying, see if we cannot take it down to 25, 27, or maybe 18 tons. I don't know if that is possible or not. I hope it can be. I would love to see the Crusader be more mobile, wider, able to be deployed more rapidly in regions far and away, maybe in Afghanistan or other areas. I would like to see the capability of this machine enhanced.

However, I want to make sure our men and women, if they use this system and it is superior, that it is safe, it is not a death vehicle or one where their lives might be jeopardized. It remains to be seen if we can preserve this level of safety in a future combat system. The Levin amendment modified by the Warner amendment, allows us to accomplish something very important by taking this $475 million and saying it will not be in the Crusader. Or we could keep that option as the Crusader. But we are going to use these funds to closely support a fire system capable of protecting our men and women.

We are going to be consulting the Army, individuals who have experience and expertise in this—which, frankly, was not done in the decisionmaking process as far as canceling the Crusader. It is unfortunate that they were not consulted. I am offended by that process.

I hope the administration in the future will say if they are going to be canceling the system they will contact the Chief of Staff of the Army, former Chief of Staff of the Army, the Secretary of the Army, and listen to their advice. That did not happen in this case.

Senator LEVIN was talking about how this would be reversed. You might remember a few months ago the administration had money for the Crusader in their budget. Now they have stated they are opposed to it.

We need to come up with something better. Regardless of what the replacement may be, I want our military men and women to have a superior system that far exceeds what they have right now. I do not want our men and women being trained in vehicles, in cannons that are inferior to anybody's. Period. That is the bottom line. It is not who does the contracting. It is not who makes it. It is not where they are trained, not where it is fired, not where it is deployed. Our men and women have to have the best. Right now we do not have the best.

Under the Levin-Warner amendment, we are going to take that $475 million and, yes, we are going to have reprogramming capability, or consultation, the Secretary can have his ability to change it, and we have 30 days to review it, and it is going to be used for

fire support. Presumably, we are going to come up with a better system than we have right now. This is what I expect to be done.

I don't want to find out our men and women are still training in inferior systems 20 years from now. If we do not move fairly quickly, that is exactly what they will be doing. Even if we stayed with the Crusader, that was going to be online in the year 2008, 5 or 6 years from now. The future combat system Senator INHOFE and others have talked about can be on line in 2008. We need to be moving forward on this rapidly. There is not a lot of time to waste, not when you think we could be jeopardizing the lives of our men and women.

Somebody said maybe we don't need cannons, we can rely on air support power. That is not accurate. Talk to anybody in the military. Do you need an army with tanks and guns? Yes. Do you need an army with weapons for potential combat systems and close fire support? The answer is always yes. Can the air always do it? No. Can the multiple-launch rocket system do it? Not always. Sometimes it can from greater distances, but not close-in, not when you are talking about a few hundred yards, not when you are talking about a mile, not when you are talking about real close-in support.

We need a cannon. We need close-in support. This $475 million reprogramming capability is for a future combat system. It could be called Crusader 2; it could be called Crusader 3. We have reduced the weight of the Crusader from 80 tons to 40 tons and still call it the Crusader. Now we are talking about taking it from 40 tons to 20-some tons. If that can do the job while having automatic load capability, have superior user accuracy, have the speed to stay up with our tanks and armored personnel carriers—which right now we cannot do—if we can come up with a lighter and more mobile system that can still protect our troops and provide the fire support that is so necessary—great. I will strongly support it.

I hope and expect the reprogramming and the Army intelligence and Army experts in this field will come up with a system that will work. But they need to do it quickly. I hope and expect the leaders on both the Armed Services Committee in the Senate and in the House will work to make sure that happens.

Presently, relying on the existing system is just not satisfactory. It is not satisfactory for this Senator. I do not think it would be satisfactory for the Department of Defense, either.

I thank my colleagues for their work to keep this money in artillery and in close fire support.

I also compliment my friend and colleague, Senator INHOFE, for his leadership. No one has invested more time on defense issues that I am aware of, with maybe the possible exception of Senator WARNER, than Senator INHOFE on this committee. And no one has invested more time in support of the Army than Senator INHOFE.

I also wish to compliment Congressman J.C. WATTS because, likewise, he has invested an enormous amount of time trying to make sure making sure our men and women in the Army have the best artillery around, not just protecting the jobs in Oklahoma. I think both Congressman WATTS and Senator INHOFE are to be congratulated for their leadership, trying to make sure the Army as well as the Navy and Air Force and Marines have equipment superior to any potential adversary we might confront.

I am happy to support the Levin amendment, modified by Senator WARNER. I urge my colleagues to adopt it. I yield the floor.

Mr. LEVIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. Mr. President, I would like to make a unanimous consent request, just for the information of our colleagues. I ask unanimous consent the time until 2 p.m. today be for debate with respect to the pending Levin and Warner amendments, with the time equally divided and controlled in the usual form, and at 2 p.m. the second-degree amendment be agreed to, and without further intervening action or debate the Senate proceed to vote in relation to the Levin amendment, as amended, with no other amendments in order prior to the disposition of the Levin amendment.

Mr. REID. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, that will be fine. I would like to make sure that before 2 o'clock Senator DAYTON has 5 minutes. That should be no problem.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, the Senator from Minnesota was assured of at least 5 minutes. I do not know if this time is divided equally or not, but whatever time I have remaining, I yield 5 minutes of that time to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. DAYTON. Mr. President, I inquire as to the time?

The PRESIDING OFFICER. The Senator has 5 minutes.

Mr. DAYTON. I ask unanimous consent that I might have 10 minutes to speak.

The PRESIDING OFFICER. Is there objection?

Mr. SESSIONS. Yes, reserving the right to object, we are going to vote at 2; is that correct? I did want 3 or 4 minutes to speak on this issue.

Mr. REID. Mr. President, we have had a lot of people talking. We certainly want the Senator from Alabama to have his time to speak.

I ask unanimous consent that the vote be extended until 5 after 2; that all the same orders will be in effect but for the 5 minutes, and that the Senator from Minnesota be given 10 minutes and the Senator from Alabama, 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Minnesota.

The Senator from Minnesota.

Mr. DAYTON. Thank you, Mr. President. I thank the Senator from Nevada for the accommodation. I thank the Senator from Alabama as well.

Mr. President, I want to start by expressing my appreciation and admiration to the chairman of our Armed Services Committee, on which I am privileged to serve along with the Senator from Michigan, and ranking member, the Senator from Virginia. Both of them have been outstanding mentors and role models for me in the Senate.

The legislation which has been brought forward has my full support as a member of the committee.

I note that the President proposed $396 billion for national defense for the 2003 budget, a 20-percent increase in spending over the last 2 years.

Is my understanding that the committee, which has been working very much on a bipartisan basis, provides after adjustments for the civilian and military retirement dollars, essentially the full amount that the President requested for all activities. It reflects the bipartisan support this committee has for strengthening our national defense—even before the tragic events of September 11, and certainly thereafter. As I said, it involves a very sizable increase in spending. It is supported by this Senator, and by Senators on both sides of the aisle—in our committee and on the floor.

There are other aspects of the bill that I would like to address at a subsequent time. But given the spirit of cooperation and support that has been evidenced, in my view, consistently by the committee, by the chairman of the committee, and by its members to undertake these increases and improvements on a cooperative basis—frankly, as others have noted—the procedures by which the Crusader budget has been proposed to be eliminated is an unfortunate exception. As I say, it is one that strikes me as really not warranted by the actions of the committee in any way whatsoever.

The President submitted a budget proposal to the Congress on February 4 and called for $475.6 million to continue in the development of the Crusader. No cutbacks were proposed. There were no reservations expressed about the project. The Crusader is on time, it is on budget, and it is to specifications. In the simulated tests so far, it has been right on target.

In the committee hearings, which the Armed Services Committee held quite extensively about the President's proposal for the year 2003, no reservations were expressed by anyone—not by the Secretary of Defense, nor the Deputy Secretary of Defense, nor the Joint Chiefs of Staff, nor the military commanders. In fact, it was just the opposite. There was strong and unqualified support for the commander.

I have asked a number of military leaders who have come to my office, and the incoming and outgoing Chiefs of Staff in Europe. I was at the National Training Center in California last year, and I asked tank commanders what they thought of the Crusader. They were unanimously enthusiastic about the Crusader. They were unanimously emphatic about the need for the Crusader to strengthen our artillery.

The Secretary of the Army expressed similar support for those same reasons in testimony before the committee. We received testimony in March of this year before the committee by the Army Vice Chief of Staff. As reported in Defense Week the next day—on March 18 of this year—he said ground forces attacking in Afghanistan could have used the Crusader to pound al-Quaida redoubts in the mountains near Gardez. General Keane told the panel on Thursday that, unlike some air-delivered munitions, poor weather would not have stopped the Crusader's precision fire. General Keane said they could have used the Crusader for support of troops attacking in the mountains and have gotten the response of artillery fire at considerable range and distance they could not with any of their other systems.

He went on to say if the Army had the Crusader today—meaning in March, in Afghanistan—perhaps three or four of them could have been used there. He said they could have kept the Crusader within the range outside of the immediate battle areas in secure areas. He said the Paladin, by contrast, would have to be positioned closer to the mountains and would need more forces to protect it.

To give Senator INHOFE and colleagues on that subcommittee a sense of the Crusader's range and precision, General Keane said they could put it within the beltway outside of Washington, fire it in the air, and hit homeplate in Camden Yards in Baltimore.

After hearing all of this testimony and this unqualified support, the committee began its markup of the military budget and Department of Defense request. After about a week of rumors and innuendos, contrary rumors and denials of all of that, we received on the morning of the final markup session of the committee—on May 8 of this year—a copy of a letter from Mr. Daniels, Director of the Office of Management and Budget, to the majority leader, Senator DASCHLE, informing him of the administration's decision to terminate the Crusader. We received nothing—this Senator received nothing—from the Secretary of Defense, and, as far as I know, no formal communication to the committee from the Department of Defense. It was treated as though it was a budget adjustment. Since then, there has been this presumption that, of course, the committee will approve the administration's change of mind. Of course, we will all just reverse our course upon command. Of course, we will just disregard all of the expert testimony we received over the last months. Of course, we will disregard whatever research we have done individually. And we will disregard our own views on the importance of this program, and we will just follow into a lockstep by pirouette 4 months after the budget has been submitted. Sixteen months after taking office, the administration has figured out what it wants to do about this program—no consultation or discussion with members of the committee, at least not with this Senator and most of the others with whom I talked.

We were told in testimony that no consultation nor forewarning was given to the chairman and vice chairman of the Joint Chiefs of Staff, nor with the Chief of Staff of the Army, nor with commanders in theaters such as Korea and Europe.

I am very much concerned and alarmed about the failure, if that is the case—and it has not been refuted—to communicate and to consult with the military leadership of this country.

Today, I heard that we are to be held responsible for delays—any delays toward wasting taxpayers' money, if we haven't already approved of this proposed change. It costs $500,000 a day. That is the number I heard. That certainly is one that we not spend lightly.

We are proposing to approve a budget of over $1 billion a day on national defense for fiscal year 2003—over $1 billion of taxpayers' money every day. We are going to use that money to defend our borders and our country. We are going to use that money to protect America's interests, our influence, our values, and our way of life—and all over the world. Ultimately and specifically, we are going to use that money to send American men and women—young men and women, in most cases—to places such as Afghanistan, far away, and put them right on the line with their lives and families and children left behind. We owe it to them to have them know they are going into those conditions with every possible advantage, means of force, means of domination, and with a means of coming home alive having accomplished their mission successfully on behalf of our country.

I was in Afghanistan, along with some of my colleagues, in January. We had lunch with members of the Armed Forces who are, as I say, young, dedicated, and enthusiastic. They gave up jobs. Those who are in the Reserves voluntarily came out and are standing up for and fighting for our country.

When I get General Keane's testimony that the Crusader would make a difference in protecting their lives, then I say that is the consideration, that is the sole consideration, the overriding consideration in whether or not to continue with Crusader.

Before this Senate decides and before this country decides to abandon that system, I want to be assured—I want to be guaranteed—that we are going to have comparable firepower coming to their protection and their defense when needed.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. CARPER). The time of the Senator from Minnesota has expired.

Mr. REID. Mr. President, on the underlying amendment offered by Senator LEVIN, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there objection for it being in order to ask for the yeas and nays on the first-degree amendment at this time?

Without objection, it is so ordered.

Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Alabama is recognized for up to 5 minutes.

Mr. SESSIONS. Mr. President, I congratulate Senator LEVIN and Senator WARNER, Senator INHOFE, Senator NICKLES, and Senator DAYTON, who just spoke, for the work they have done to try to reach an agreement on the Crusader system that we can all live with and is the right thing to do. I believe we have made steps in that direction. I am proud to support this amendment.

Let me just say a couple things about it.

I am a strong believer in doing what we need to do to defend our soldiers and to defend our interests around the world. I did conclude that the administration was correct that the $11 billion projected on the Crusader was not the wisest investment of that $11 billion. It is not considered to be a part of our Future Combat System that we look to establish. It is an interim weapon system. It would drain $11 billion that could help us create the Future Combat System that we are all striving to achieve.

You have to make tough decisions. That is what we pay the Secretary of Defense to do. It is not an easy call. A lot of people believed in this system and supported it for years and years. But we cannot expect them, just on a dime, to come in—generals and so forth, our Defense Department officials and contractors—and to now say: Oh, yes, we need to cancel it.

That is why it is tough. But the Secretary of Defense understands these issues deeply and wrestled with them. They said they wished it could have been done smoother and maybe with more notice. Perhaps not quite as jerky in the process.

Well, everybody knew, and had known for a long time, that the Department of Defense was examining the Crusader system very closely. Everybody knew that many believed it was not the wisest use of $11 billion. I am glad they made the call. It is a tough call, and I believe it is the right call.

I note, for example, many have cited it as a good weapon that could be utilized in Korea where we do face a large number of tanks by the North Koreans, and that it might be utilized in that kind of combat. But I note that the Army states their intent is not to even deploy the Crusader to Korea. It would not be on the ground in Korea. It would be maintained in the United States as part of a Counterattack Corps. So it is not the kind of weapon we would be normally deploying in situations where you would expect we could have a pretty violent conflict that could occur. I think we are doing the right thing. I believe the administration deserves credit for that.

The administration also had to deal with some tough choices about funding. We know we are not going to continue to see the kind of increases that President Bush has fought for in the last 2 years in the Defense budget as we go along. We know these are not going to be sustained.

We had a $48 billion increase this year. A lot of that had to go for the pay, retirement, and health care benefits we promised our men and women in uniform and our retirees. But we do know that we have to spend some more money on capital, moving us to the Future Combat System, buying the new equipment that will transform us, continually, to maintain the greatest military force in the world.

One of the things we have to be honest about is that by 2008, 2009 or 2010, we are going to be facing a train wreck in expenditures. We have the V–22 Osprey coming on line, the Joint Strike Fighter, the F–22, other programs that have been in the works for many years, all of which are going to be hitting about that time period.

If we are not going to be able to sustain all of those weapons systems, do we wait until 2006, 2005—after we have spent billions of dollars on them—to then decide we cannot complete them and that something else on line is better? I think not. The sooner we do it the better.

Let me just mention that the budget submitted by the Defense Department to use the money that would not be spent for Crusader are investments in strengthening the Army's capability and, indeed, are the budget items that the Army requested if they did not have the Crusader.

They include $57 million for a Netfires missile system that could be effective for our troops on the battlefield; $195.5 million on indirect fire for the objective force—our objective that we seek to establish—$48.3 million for the Excalibur advanced system; $11.4 million for the tactical unmanned aerial vehicles—we need more unmanned aerial vehicles—$10.8 million for precision-guided mortar munitions—they would be precision guided instead of the indirect fire mortar weapons we have today. That can be done, and we can achieve that. They also include the guided multiple launch rockets that are precision guided; high-mobility artillery rocket systems; the Abrams tank engine, and other items that the Army requested.

I thank the Chair, and I thank our leaders, Senator LEVIN and Senator WARNER. I believe we are on the right track.

The PRESIDING OFFICER. The time of the Senator from Alabama has expired.

All time has expired.

Under the previous order, amendment No. 3900, offered by the Senator from Virginia, Mr. WARNER, is agreed to.

The amendment (No. 3900) was agreed to.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3899, as amended. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 3, as follows:

[Rollcall Vote No. 158 Leg.]

YEAS—96

Akaka	Dorgan	Lott
Allard	Durbin	Lugar
Allen	Edwards	McCain
Baucus	Ensign	McConnell
Bayh	Enzi	Mikulski
Bennett	Feingold	Miller
Biden	Feinstein	Murkowski
Bingaman	Fitzgerald	Murray
Bond	Frist	Nelson (FL)
Boxer	Graham	Nelson (NE)
Breaux	Gramm	Nickles
Brownback	Grassley	Reed
Bunning	Gregg	Reid
Burns	Hagel	Roberts
Byrd	Harkin	Rockefeller
Campbell	Hatch	Santorum
Cantwell	Hollings	Sarbanes
Carnahan	Hutchinson	Sessions
Carper	Hutchison	Shelby
Chafee	Inhofe	Smith (NH)
Cleland	Inouye	Smith (OR)
Cochran	Jeffords	Snowe
Collins	Johnson	Specter
Conrad	Kennedy	Stabenow
Corzine	Kerry	Stevens
Craig	Kohl	Thomas
Crapo	Kyl	Thompson
Daschle	Landrieu	Thurmond
Dayton	Leahy	Torricelli
DeWine	Levin	Warner
Dodd	Lieberman	Wellstone
Domenici	Lincoln	Wyden

NAYS—3

Clinton	Schumer	Voinovich

NOT VOTING—1

Helms

The amendment (No. 3899), as amended, was agreed to.

Mr. LEVIN. I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Michigan.

AMENDMENT NO. 3912

Mr. LEVIN. I thank the Presiding Officer.

Mr. President, Senator WARNER and I will now offer an amendment that permits retired members of the Armed Forces who have a service-connected disability to receive both military retirement pay earned through years of military service and disability compensation from the Department of Veterans Affairs based on their disability.

We offer this amendment on behalf of Senator HARRY REID, who has been the leader in the Senate on this issue, Senator BOB SMITH, who raised this issue in our committee markup, and on behalf of the Armed Services Committee. This is a committee amendment.

In the bill itself, before this amendment is even considered, there is a provision that we adopted in committee that goes a long way toward addressing an issue that many of us have been concerned about for a long time—the inability of military retirees to draw their full retirement pay if they are receiving compensation from the Department of Veterans Affairs for a service-connected disability. We believe they are entitled to both.

The language that is already in the bill was limited by the funding allocation that was available to us. We got about half the job done in the bill, but we are now offering this amendment which will finish this equitable assignment that many of us have taken on.

We believe we should authorize full concurrent receipt for these deserving veteran retirees, and the amendment that we offer will do that.

We did not do the whole job in the bill because we did not want to make our bill subject to a point of order. We had a certain allocation of mandatory spending for this. We used it. That is the amount that is in the bill, and that is why in the bill we provide the concurrent receipt of military retirement pay and veterans disability compensation by military retirees with service-connected disabilities that are rated at 60 percent disability or higher. That used up the allocation we had. But many of us believe, and the committee believes, that we should do this for all disabled military retirees. This amendment will do that.

If there is a point of order raised, we hope it will be waived. We did not want to make our entire bill subject to a point of order, so we divided it into two pieces.

Under the provision in the bill, the amount of retirement pay would be

phased in over a 5-year period beginning with 30 percent of the otherwise authorized retirement pay in 2003 and increasing to 45 percent in 2004, 60 percent in 2005, 80 percent in 2006 and 100 percent in 2007.

Again, the provision already in the bill was drafted very specifically to limit the cost to comply with the mandatory funding allocation that is contained in the budget resolution reported by the Senate Budget Committee. The language in the bill itself is not enough, in the judgment of the committee.

It is unfair to limit concurrent receipt of retired pay and disability compensation to military retirees with a disability rated at 60 percent or more. We cannot differentiate equitably and fairly from those retirees who are 50 percent disabled, 40 percent disabled, or 30 percent disabled. They have all been disabled through their military service to our Nation. It is also unfair to delay the receipt of full compensation for 5 years. They are overdue for full compensation now. We are losing 1,500 veterans per day in this country, and we should act now.

I first commend Senator HARRY REID for his absolute commitment to this issue, to resolving this inequity, to addressing this unfairness. Year after year he has eloquently and passionately persuaded this body to act in this way. He has succeeded in doing so. We have not been able to get this through conference. We are determined to make this effort again.

I also note that during the committee markup of this bill, Senator SMITH of New Hampshire proposed an amendment which would have permitted full concurrent receipt of military retired pay and veterans' disability compensation by all retirees eligible for nondisability retirement who have a service-connected disability, no matter what the disability rating was.

Again, because this amendment of Senator SMITH would have put our entire bill in violation of the budget resolution that was reported by the Budget Committee, we asked Senator SMITH to allow this amendment to be offered on behalf of the committee when the bill reached the floor. This would allow the full Senate to decide this issue. By majority vote, the committee agreed to this course of action, and this is the amendment we are offering at this time.

The amendment we offer is essentially the same as S. 170, which is a bill initially introduced by Senator REID of Nevada, who has been, again, the true leader in this effort in the Senate. The Senate passed this provision last year. Again, we were not able to bring it out of conference. We fought for this provision to the very end of the conference last year. It was one of the last two issues that were resolved in the conference between the Senate and the House. The House simply refused to accept our provision, and we finally had to reach an agreement if we were going to have a Defense Authorization bill last year.

We were able to enhance the special compensation last year in conference for the most severely disabled retirees, and pass a provision on the condition that the President propose, and the Congress enact, legislation that would offset the costs of the initiative. The President did not propose that offsetting legislation, so the Senate once again is taking the initiative to right this wrong.

Senator REID's bill, S. 170, now has 81 cosponsors in the Senate. The House companion bill, H.R. 303, has 395 cosponsors. Senator CLELAND, and Senator HUTCHINSON of Arkansas, the chair and ranking member of the Personnel Subcommittee, have been strong advocates for this bill. The overwhelming support in both the House and the Senate for these two bills is a clear indication we simply should not settle for the limited provision in the bill as reported by the committee.

Enactment of this amendment would remove an injustice to disabled military retirees. Military retirement pay and disability compensation were earned and awarded for different purposes. Military retirement pay is awarded for a career of service to our Nation in the Armed Forces. Disability compensation is awarded to compensate a veteran for an injury incurred in the line of duty. It is unfair for military retirees, who have earned both payments, not to receive them concurrently. Veterans injured in the line of duty, who leave military service and then serve a career as a Federal civilian employee, do not have to forfeit any of their Federal civilian retired pay to receive their VA disability compensation.

I hope the Senate will adopt this committee amendment.

I yield the floor.

Mr. LEVIN. I send our amendment to the desk and ask for its immediate consideration on behalf of the committee.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN] proposes an amendment numbered 3912.

The amendment is as follows:

(Purpose: To provide alternative authority on concurrent receipt of military retired pay and veterans' disability compensation for service-connected disabled veterans)

Strike section 641, relating to phased-in authority for concurrent receipt of military retired pay and veterans' disability compensation for certain service-connected disabled veterans, and insert the following:

SEC. 641. PAYMENT OF RETIRED PAY AND COMPENSATION TO DISABLED MILITARY RETIREES.

(a) IN GENERAL.—Section 1414 of title 10, United States Code, is amended to read as follows:

"§ 1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans' disability compensation

"(a) PAYMENT OF BOTH RETIRED PAY AND COMPENSATION.—Except as provided in subsection (b), a member or former member of the uniformed services who is entitled to retired pay (other than as specified in subsection (c)) and who is also entitled to veterans' disability compensation is entitled to be paid both without regard to sections 5304 and 5305 of title 38.

"(b) SPECIAL RULE FOR CHAPTER 61 CAREER RETIREES.—The retired pay of a member retired under chapter 61 of this title with 20 years or more of service otherwise creditable under section 1405 of this title at the time of the member's retirement is subject to reduction under sections 5304 and 5305 of title 38, but only to the extent that the amount of the member's retired pay under chapter 61 of this title exceeds the amount of retired pay to which the member would have been entitled under any other provision of law based upon the member's service in the uniformed services if the member had not been retired under chapter 61 of this title.

"(c) EXCEPTION.—Subsection (a) does not apply to a member retired under chapter 61 of this title with less than 20 years of service otherwise creditable under section 1405 of this title at the time of the member's retirement.

"(d) DEFINITIONS.—In this section:

"(1) The term 'retired pay' includes retainer pay, emergency officers' retirement pay, and naval pension.

"(2) The term 'veterans' disability compensation' has the meaning given the term 'compensation' in section 101(13) of title 38.".

(b) REPEAL OF SPECIAL COMPENSATION PROGRAM.—Section 1413 of such title is repealed.

(c) CONFORMING AMENDMENT.—Section 641(d) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1150; 10 U.S.C. 1414 note) is repealed.

(d) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 71 of title 10, United States Code, is amended by striking the items relating to sections 1413 and 1414 and inserting the following new item:

"1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans' disability compensation.".

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on—

(1) the first day of the first month that begins after the date of the enactment of this Act; or

(2) the first day of the fiscal year that begins in the calendar year in which this Act is enacted, if later than the date specified in paragraph (1).

(f) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits may be paid to any person by reason of section 1414 of title 10, United States Code, as amended by subsection (a), for any period before the effective date specified in subsection (e).

Mr. WARNER. Mr. President, I join with Senator LEVIN, Senator SMITH, Senator HUTCHINSON, and Senator REID in offering this amendment to S. 2514.

The committee included in the bill a provision—section 641—that, over the next 5 years, would phase in elimination of the current dollar-for-dollar offset of military retired pay and veterans' disability pay for those military retirees most severely in need—that is, those who have been determined by the Veterans' Administration to be 60 percent or more disabled. I compliment Senator CLELAND, Senator HUTCHINSON, Senator SMITH and the members of the Personnel Subcommittee on bringing forward this timely, focused relief. The

provision in the underlying bill was drafted to be consistent with the direct spending funding allocation contained in the budget resolution reported by the Budget Committee.

But as the leaders of the subcommittee would readily acknowledge, more needs to be done. During the full committee markup, Senator SMITH of New Hampshire proposed an amendment that would implement full concurrent receipt immediately. This initiative, I note, is consistent with S. 170, the legislation spearheaded by Senators REID and HUTCHINSON, which, at this point, has over 80 consponsors in the Senate. It also is similar to the legislation that Senator REID, Senator HUTCHINSON and I introduced in March of this year, S. 2051, the Retired Pay Restoration Act of 2002, which sought to eliminate the conditions for implementation of full concurrent receipt previously included in last year's conference report.

However, many, many of my colleagues, on both sides of the aisle, have joined in seeking to end this injustice impacting disabled military retirees. Our shared goal? To ensure that an important class of disabled veterans—military retirees who have incurred service connected physical or mental disability—are fairly and appropriately compensated by the nation they served so well.

The administration has taken a very different view on this issue. In fairness, I think the Senate should be aware of the Statement of Administration Policy on the underlying bill, which we received this morning and which addresses the issue before the Senate.

This document states that the President's senior advisors will recommend a veto if either section 641 or the proposed amendment before us now that would fully implement concurrent receipt is included.

I do not believe there is any member of this Senate who would assert that military retired pay adequately compensates a severely disabled, retirement-eligible service member who is appropriately rated by the Veterans' Administration for service connected injuries and disability. Perhaps, over a century ago, when the military retirement system was in its infancy, the legislation requiring the offset accurately reflected the legislative intent of the members. That is not the case today. The number of cosponsors for legislation that would repeal this law illustrates that it no longer expresses the will of the Congress. It is our responsibility to take appropriation action. We can not and should not wait any longer for this to happen.

Before concluding, I want to recognize and thank the many veterans groups in The Military Coalition who have been unwavering in their support for this legislation. I have met with and listened closely to representatives from several of these organizations about their concerns about concurrent receipt, and I particularly want to recognize the American Legion, the Veterans of Foreign Wars, the Fleet Reserve Association, the Retired Officers Association, the Retired Enlisted Association, the Non Commissioned Officers Association, the National Guard Association of the United States, the Enlisted National Guard Association of the United States, the Disabled American Veterans, American Veterans of World War II, Korean and Vietnam AMVETS, the Association of the United States Army, the National Military Family Association, the Air Force Sergeants Association, and the Vietnam Veterans of America for their support.

I urge my colleagues to join us in this effort.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. SMITH of New Hampshire. Mr. President, I begin by thanking my ranking member, Senator WARNER, and Chairman LEVIN for their outstanding work on this bill and achieving a compromise which would allow us to bring to the floor this legislation that would provide compensation for all veterans, not just a small number of them. It was a difficult situation to deal with, and they handled it beautifully.

I also thank my friend and colleague from Nevada, Senator REID, for being the lead sponsor, the originator, of S. 170, which provides full compensation for all veterans, no matter what the percentage of disability. I am pleased and proud to have been a cosponsor of that legislation. I also thank Senator HUTCHINSON of Arkansas for his leadership as well on this issue.

There are many Senators who have been involved in this legislation and who have worked tirelessly on behalf of veterans over the years, but it has been a long and difficult road. Every time I talk to veterans, veterans will tell me they have been waiting and waiting for this and they do not understand why the high numbers of cosponsorships on the bills to provide this full compensation do not yield in the end, after all the conference committees are finished, the passing of the legislation. I think now we are going to see that happen finally.

My support for this legislation goes back to being a freshman Congressman in 1985, when a Congressman by the name of MIKE BILIRAKIS of Florida had this legislation in the hopper. Concurrent receipt has the support of just about every veterans organization in the country. I have several letters from the American Legion, the VFW, the Disabled American Veterans, the Military Coalition, the Retired Enlisted Association, the Retired Officers Association, and even a letter from the New Hampshire House of Representatives. I ask unanimous consent that these letters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE AMERICAN LEGION,
Washington, DC, March 29, 2001.

DEAR SENATOR: The American Legion adamantly opposes Section 19 of House Concurrent Resolution 83 entitled: Concurrent Retirement and Disability Benefits to Retired members of the Armed Forces. This imprudent section requires the Secretary of Defense to evaluate ''the existing standards for the provision of concurrent retirement and disability benefits to retired members of the Armed Forces and the need to change these standards.''

This ill-advised section does not properly state the intent of H.R. 303 and S. 170: To amend title 10, United States Code, to permit retired members of the Armed Forces, who have a service-connected disability, to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability.

The Congressional Research Service, The Library of Congress, completed an extensive report in April 7, 1995 entitled: Military Retirement and Veterans' Compensation: Current Receipt issues. This report is straightforward and clearly addresses both sides of this debate. That probably explains why both H.R. 303 and S. 170 continue to enjoy such overwhelming bipartisan support. Today, 35 Senators and 287 Representatives are steadfast cosponsors.

The American Legion adamantly supports legislation and funding to permit retired members of the Armed Forces, who also have a service-connected disability recognized by VA, to receive both military retired pay and disability compensation. Military retirees are the only retired Federal employees who must offset their retired pay (dollar-for-dollar) with VA disability compensation awarded them. Penalizing military retirees for choosing to serve their country for 20 or more years is not only an injustice to those who have served, but also a tremendous deterrent to those who may be considering a military career.

The American Legion strongly recommends the final Budget Resolution include funding to pay for concurrent receipt because it is the right thing to do. Thank you for your continued leadership and support of veterans, especially the service-connected, and their families.

Sincerely,

STEVE A. ROBERTSON,
Director, National Legislative Commission.

THE RETIRED ENLISTED ASSOCIATION—THE CONCURRENT RECEIPT DEBATE

WHAT IS THE ''CONCURRENT RECEIPT'' PROBLEM?

''Concurrent Receipt'' refers to the dual receipt of military retired pay and VA disability. Presently, a military retiree must offset, dollar for dollar, from their retired pay the amount they are receiving in VA Disability Compensation.

WHAT LEGISLATION IS PENDING TO CORRECT THIS PROBLEM?

There are currently several bills pending before Congress, which would work to correct this inequity by eliminating the offset. That legislation is the following:

HR 44 (106th Congress), by Rep. Bilirakis (R–FL) provides limited authority for concurrent payment of retired pay and veterans' disability compensation for certain disabled veterans. Was referred to Committee on National Security and Committee on Veterans' Affairs. This bill is similar to HR 303 and HR 65 with a smaller benefit for certain disabled retirees. For disability rated as total—$300 per month; 90 percent disability—$200 per month; 70 or 80 percent disabled—$100 per month. Disability must have been granted within 4 years of retirement date. This bill is a partial measure to correct the concurrent receipt inequity. TREA continues to support full receipt of retired pay

and veterans' disability compensation. Passed in FY 2000 National Defense Authorization Act (NDAA).

HR 303 (106th Congress), by Rep. Bilirakis (R–FL) to permit retired members who have service-connected disabilities to receive compensation from the Department of Veterans Affairs concurrently with retired pay, without deduction from either.

S 2357 (106th Congress), by Sen. Reid (D–NV) to permit retired members of the Armed Forces who have a service-connected disability to receive military pay concurrently with veterans' disability compensation.

The Senate version of the FY 2001 NDAA included Sen. Reid's amendment, however, the final conference report did not include full concurrent receipt. The FY 2001 NDAA did include a provision for Chapter 61 (Military Disabled Retired) with 20 or more year's service to receive the same special compensation benefit as non-disabled retirees within 4 years of retirement date. The effective date of payment is October 1, 2001.

Rep. Bilirakis has introduced HR 303 and Sen. Reid has introduced S. 170 in the 107th Congress to completely eliminate the offset. The House Bill currently has 192 co-sponsors and the Senate Bill has 20 co-sponsors.

THE MILITARY COALITION,
Alexandria, VA, February 2, 2001.

Hon. HARRY M. REID,
U.S. Senate, Washington, DC.

DEAR SENATOR REID: The Military Coalition, a consortium of nationally prominent uniformed services and veterans organizations, representing more than 5.5 million members, plus their families and survivors, is grateful to you for introducing S. 170—a bill to ease the inequity of the current law that reduces uniformed servicemembers' earned retired pay by any amount of disability compensation they receive from the Department of Veterans Affairs. The current 100 percent offset imposes a very discriminatory penalty, especially for those whose disability severely limits their post-service earnings potential.

S. 170 would correct the current inequity whereby disabled uniformed services retirees are forced to fund their own disability compensation from their own retired pay. The Military Coalition strongly agrees with you that each of these compensation elements is earned in its own right—retired pay for a career of arduous service in uniform and disability compensation for pain and suffering and lost future earnings resulting from service-connected disabilities.

In many cases, members with decades of uniformed service are forced to forfeit most or all of their military retired pay to receive the same disability compensation paid to a similarly disabled member with relatively few years of service. This unfairly denies any compensation value for their decades of service and sacrifice in the uniform of their country.

In the last two years, Congress has enacted legislation authorizing special compensation for certain severely disabled retirees. This was a small but important first step in recognizing the difference between a retirement for an extended career of service and compensation for a disability incurred as a result of such service. Your sponsorship of S. 170 this year takes this important issue the next, and final, step.

We understand the cost of S. 170 is significant. But we believe strongly that fair compensation for America's disabled retirees is also a significant issue—one that has been long overdue. The Military Coalition will be most pleased to work with you in urging all members of Congress to support the immediate enactment of S. 170.

Sincerely,

THE MILITARY COALITION.

STATE OF NEW HAMPSHIRE,
OFFICE OF THE HOUSE CLERK,
Concord, NH, July 9, 2001.

Hon. BOB SMITH:
Dirksen Senate Office Building,
Washington, DC.

DEAR SENATOR SMITH: On January 25, 2001, the New Hampshire House of Representatives passed House Concurrent Resolution 1, urging the federal government to allow military retirees to receive service-connected disability compensation benefits without requiring them to waive an equal amount of retirement pay.

On March 29, 2001, the New Hampshire Senate passed the same resolution.

Enclosed is a copy of that House Concurrent Resolution.

Sincerely,

KAREN O. WADSWORTH,
Clerk of the House.

THE RETIRED
OFFICERS ASSOCIATION,
Alexandria, VA, August 1, 2001.

Hon. ROBERT C. SMITH,
U.S. Senate,
Washington, DC.

DEAR SENATOR SMITH: I am writing to express my deepest apology for a printer's error on page 25 of the August issue of The Retired Officer Magazine, which indicated legislators' cosponsorship status on selected key bills.

Although TROA provided correct data, printing plant employees transposed data indicating your cosponsorship status on legislation to increase Survivor Benefit Plan age-62 annuities (S. 145 or S. 305) and to authorize concurrent receipt of military retired pay and veterans disability compensation (S. 170), respectively. In your case, this transposition failed to give you proper credit for your cosponsorship of S. 170.

The printer has accepted responsibility for this serious error, and will mail every TROA member in your state a prompt and corrected cosponsorship summary.

Should you receive any correspondence from TROA members based on the misprint in our magazine, please feel free to provide them a copy of this letter to indicate TROA's recognition and gratitude for your cosponsorship of S. 170.

Again, we regret this unfortunate error, and very much appreciate your support for the concurrent receipt initiative.

Sincerely,

MICHAEL A. NELSON.

DISABLED AMERICAN VETERANS,
Washington, DC, August 31, 2001.

Hon. ROBERT C. SMITH,
U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR SMITH: Disabled veterans are deeply disappointed by yet another move in Congress which will jeopardize legislation to remove the unfair requirement that veterans must surrender the military retired pay they earned by reason of past service performed to receive compensation for ongoing effects of service-connected disabilities. As National Commander of the Disabled American Veterans, I write to urge that you take all necessary action to ensure the passage of one of the two companion bills H.R. 303 or S. 170, or their equivalent in other legislation, rather than substitute provisions included in H.R. 2586, the National Defense Authorization Act for Fiscal Year 2002.

Provisions in H.R. 2586 to authorize ''concurrent receipt'' of military retired pay and veterans' disability compensation are accompanied by the equivalent of a ''joker clause'' that renders the provisions inoperative unless the President includes money in next year's budget to pay the cost of the legislation and Congress then enacts legislation to take the money from elsewhere in the Federal budget. In reality, this provision in H.R. 2586 is of no effect. However, it will end congressional action on real concurrent receipt legislation in the form on H.R. 303 and S. 170.

The serious injustice in current law deserves a real remedy, not another symbolic gesture. Currently, 360 members of the United States House of Representatives have signed on as cosponsors of H.R. 303, and 72 Senators have cosponsored S. 170. To abandon this meaningful legislation in favor of the hollow provision in H.R. 2586 is indefensible.

On behalf of those disabled veterans who have dedicated their lives and sacrificed their health to make ours the most secure and most prosperous nation on earth, I ask that you individually act to ensure that our government honors its obligation to provide them the retired pay they were promised and earned and the disability compensation they are rightfully due. Please let me know if these disabled veterans can count on you to ensure real concurrent receipt legislation—rather than in H.R. 2586—is enacted.

Sincerely,

GEORGE H. STEESE, JR.,
National Commander.

Mr. SMITH of New Hampshire. This concurrent receipt issue centers around the ability of a military retiree to receive both military retired pay and their VA disability. The American Legion and VFW point out that the concept of concurrent receipts goes all the way back to when Congress passed a law prohibiting active-duty or retired personnel from also receiving these disability pensions. So military retirees are the only Federal employees prohibited from receiving both retirement pay and VA disability. This is an inequity.

I give a brief quote from a constituent by the name of Thomas Taylor who wrote to me, and he said:

DEAR SENATOR SMITH: As a cosponsor of H.R. 303, or S. 170, your help is now needed to stop making disabled military retirees fund their own Department of Veterans Affairs disability compensation from their military retired pay. Retired pay is hard-earned compensation for the extraordinary demands and sacrifices of a career in uniform. VA disability compensation is for pain, suffering and lost future earnings due to service-connected disability. The current retired pay offset is so unfair it has been highlighted on national network news.

That is so true. I am glad to support my constituent and millions of constituents in this regard. I ask unanimous consent that Mr. TAYLOR's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEAR SENATOR SMITH: As a cosponsor of H.R. 303 or S. 170, your help is needed now to stop making disabled military retirees fund their own Department of Veterans Affairs (VA) disability compensation from their military retired pay. Retired pay is hard-earned compensation for the extraordinary demands and sacrifices of a career in uniform. VA disability compensation is for pain, suffering, and lost future earnings due to service-connected disability. The current retired pay offset is so unfair it has been highlighted on national network news.

You are among the 86 percent of representatives and 76 percent of senators who express support for ending the current offset. But actions speak louder than words. I depend on you to ensure Congress backs up its cosponsorship support with money in the FY 2003 Budget Resolution.

Sincerely,

THOMAS TAYLOR

Mr. SMITH of New Hampshire. Retired pay and disability are separate. That is a fact. Our veterans should not be penalized further merely for choosing a career in the military, which is exactly what has happened. Nondisabled military retirees pursue second careers after service to supplement their own income, thereby justly enjoying the full reward for the completion of the military career retirement, and then going to work and earning extra money if they are able to do so.

In contrast, military retirees with a service-connected disability do not enjoy the same full earning potential. Their earnings are reduced based on the degree of service-connected disability. Some of the injuries may be modest by some standards, and others have lost limbs or been paralyzed or suffered other injuries which severely limit their ability to make a living.

This debate has gone on for a number of years. I will not go into all the details as to the reasons these military retirees deserve this. They have earned this. No veteran should ever be left behind. This compromise assumes sufficient funding to accommodate an increase in the military retiree pay that a veteran can collect.

The compromise reached before we came back with this legislation was that only 60 percent would be compensated, not everyone. That is not fair. We had all of the Senators and Congressmen in both the House and Senate supporting the full compensation for everyone: Whether you had a 10-percent disability or 100-percent disability, you got the dollars. That was the underlying bill by Senator REID.

Why does it appear suddenly we have come forth with an amendment or proposal that gives it to only a portion of the veterans? That is wrong.

If we go with the compromise which was proposed, 80,000 veterans will get the award, the disability compensation, but 450,000 to 600,000 will be cut out.

Veterans were writing to me, and I am sure to many other Members, with great justification, saying if all of the Senators—almost 80, maybe 83 percent—support providing this for everyone and an overwhelming majority of the House Members support it, why in the House bill did we have a compromise that cut out 450,000 veterans? Why is it on the same track in the Senate, cutting out 450,000 veterans? The truth is, that is wrong; we should not do that.

I was exasperated, as was a constituent, Raymond Snow, who wrote this letter to me:

This mirrors provisions in the house FY03 Budget Resolutions to authorize higher payments for disabled retirees who are more than 60 percent disabled. This is just nickel and diming the military retiree and not all Federal employees. This is not a benefit. It is an entitlement and should be treated as it is with all Federal employees.

That is the issue—to offer up a compromise, although it saves money. But this is about being fair to veterans and being fair to those who serve. That compromise was unfair because it cut out 450,000 veterans. I ask, if you have a 50-percent disability or a 60-percent disability, why should the person with the 50-percent disability be cut out and get no compensation for his or her disability, and a person with 60 percent get it? The truth is, it should not be that. It is unfair to offer a compromise that is different from what most Members of the Senate and the House agree to. That is wrong, and that is why we are correcting it.

I ask unanimous consent to have printed in the RECORD a list of all the cosponsors in the Senate of the Reid bill, S. 170.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

COSPONSORS OF S. 170

Daniel K. Akaka, Wayne Allard, George Allen, Max Baucus, Robert F. Bennett, Joseph R. Biden, Jr., Jeff Bingaman, Christopher S. Bond, Barbara Boxer, John B. Breaux.

Sam Brownback, Jim Bunning, Conrad R. Burns, Robert C. Byrd, Ben Nighthorse Campbell, Maria Cantwell, Jean Carnahan, Lincoln D. Chafee, Max Cleland, Hillary Rodham Clinton.

Thad Cochran, Susan M. Collins, Kent Conrad, Jon Corzine, Michael D. Crapo, Thomas A. Daschle, Mark Dayton, Michael DeWine, Christopher J. Dodd, Pete V. Domenici.

Byron L. Dorgan, Richard J. Durbin, John Edwards, John E. Ensign, Michael B. Enzi, Dianne Feinstein, Bob Graham, Charles E. Grassley, Chuck Hagel, Orrin G. Hatch.

Jesse Helms, Ernest F. Hollings, Tim Hutchinson, Kay Bailey Hutchison, James M. Inhofe, Daniel K. Inouye, James M. Jeffords, Tim Johnson, Edward M. Kennedy, John F. Kerry.

Patrick J. Leahy, Carl Levin, Joseph I. Lieberman, Blanche Lincoln, Trent Lott, John McCain, Mitch McConnell, Barbara A. Mikulski, Zell Miller, Frank H. Murkowski.

Patty Murray, Bill Nelson, E. Benjamin Nelson, Jack Reed, Pat Roberts, John D. Rockefeller IV, Rick Santorum, Paul S. Sarbanes, Charles E. Schumer, Richard C. Shelby.

Bob Smith, Gordon Smith, Olympia J. Snowe, Arlen Specter, Debbie Stabenow, Craig Thomas, Strom Thurmond, Robert G. Torricelli, John W. Warner, Paul D. Wellstone.

Mr. SMITH of New Hampshire. Another letter from a man from my home State, a Mr. Lutz, who said:

Eight out of ten members of the Senate have cosponsored S. 170 . . . which would permit retired members of the Armed Forces who have service-connected disability to receive both military longevity retired pay and disability compensation. Last year, provisions from S. 170 were included in the National Defense Authorization Act to authorize concurrent receipt, but with the conditions that keep concurrent receipt provisions from taking effect unless the President included funding in his budget and Congress enacted other legislation to offset the costs. Our members are deeply frustrated that such a large majority of the Senate has cosponsored S. 170, but still the injustice continues.

That is the point. What the Senate is doing now—and I congratulate Senator WARNER and Senator REID, Senator HUTCHISON, and Senator LEVIN for their cooperation—we now have said this legislation, which provides full compensation to 450,000 to 500,000 veterans who have a disability and are retired, they get it both; whether the disability is 10 percent, 20 percent, 30 percent or 60 percent, they get the compensation. We are not drawing lines, saying one injury was more or less important than another. We have taken the underlying legislation we have supported overwhelmingly and said, we will put it in the Armed Services Committee bill and support this legislation. If there is a point of order raised, we intend to be supportive.

I congratulate all Members in the committee who supported me. The vote was 24 to 1 in committee in support of Senator REID's legislation to provide the full compensation. It is a committee amendment. I am aware of that. However, there are other Senators who have asked to be associated with the legislation. Today Senators BINGAMAN and SNOWE asked to be associated with the amendment. I know many other Senators who are not on the committee also feel the same.

In conclusion, we cannot allow Government to make mathematical assessments of battle wounds. Frankly, when the House Budget Committee did what they did, that was exactly what they did.

I also venture a guess that not too many on that committee fully understand what it means to be in the military, as I have been in the military, and many other Members in the Senate, to understand being counted does not cut it when it comes to battle wounds received by veterans. You cannot draw a distinction, saying one person gets so many dollars because they have 60 percent disability and this person gets no compensation because they have 50 percent disability.

That is outrageous and not well thought out by those who prepared it and then insisted on the language, although a majority of the House Members supported the underlying bill that supported all. This is what causes people to get turned off on the political process. To Senator LEVIN and Senator WARNER and Senator REID's credit, they have seen through that and offered this up as a committee amendment on behalf of all members of the Armed Services Committee, except one, and all of those in the Senate who have supported this legislation.

I am pleased and proud, as one who lost his father in World War II, as one who served his country in Vietnam, along with my brother who also served in Vietnam. We are a military family. I am pleased, honored, and proud to

support this legislation and to support this committee amendment and, hopefully, see this move through the conference where we will stand up to the House of Representatives and pass this legislation so all military retirees who receive disability will get both disability and retirement. Whatever the cost, we need to bear that cost. They bore the cost for us when they served.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Let me say, this is not my amendment, it is our amendment. The committee has extended it forward, for which I am very grateful, on behalf of the Senate, that this amendment was offered. This is the way I look at it. It is not my amendment. We started off a number of years ago, working our way through this, to be at the point we are now. I am very happy.

One of the things I was struck with on Memorial Day this year—it never hit me like it did this year—over many years, three decades, at least, I have been going to Memorial Day services. They have one big event in Las Vegas and a number of others. The event is not as big as it used to be. Veterans are dying. World War II veterans are dying. This Memorial Day, I looked out in the audience, and people I expected to be there were gone. That is what this amendment is all about. It is bringing the respect to these people who are gone, and those who are here still living what they deserve. World War II veterans are dying at the rate of more than 1,000 a day.

I cannot say enough on this RECORD to express my personal appreciation to Senators LEVIN and WARNER because we have not been real successful in years past. We have done OK but have not been completely successful. You have fought, in conference with the House, to get us what we want. I will never forget how you fought.

I remember last year after we failed, we held a press conference, talking about we are going to do better next year. And we have done better. This is next year and we have done better.

I appreciate Senator SMITH talking about how fervently he feels about this. I know that. I have served with him on the MIA/POW Committee. I know how he feels about our military personnel.

Of course, regarding the two men who are the chairman and ranking member of this committee, I wish, again, words were adequate for me to tell the American people how fortunate we are to have the two of them, the Senator from Michigan and the Senator from Virginia, in effect, for the Senate, representing the Senate, taking care of the service men and women of this country. That is what your obligation is—to make sure those men and women of our Armed Forces who carry rifles and drive trucks and serve food, who wear the uniform of this country are well taken care of.

We can always do better, there is no question about that. But the two of you, I think, will go down in history as really directing this country in the way it should be.

In the last session, I introduced S. 170 entitled ''The Retired Pay Restoration Act of 2001'' to address, as has already been said here today several times, the 100-year-old injustice against over 550,000 of our Nation's veterans. This legislation, which would permit the retired members of the armed services with a service-connected disability to receive military retirement pay while also receiving veterans' disability compensation, now has 82 cosponsors.

I am proud of the veterans across this country, not only in Nevada but all across the country, because veterans who do not have service-connected disabilities have joined us in this fight for equity and fairness.

I have not asked Senator LEVIN, I have not asked Senator WARNER or Senators SMITH or LANDRIEU or CARPER—but I could ask the question and I know I would get the answer that you have been overwhelmed with mail from veterans all over this country and veterans organizations, saying: Isn't it about time we took care of these veterans?

The House chose not to appropriate funds for this measure. On March 21, 2002, I along with 26 cosponsors, introduced S. 2051, ''The Retired Pay Restoration Act.''. It would repeal the contingency language the House inserted in the National Defense Authorization Act, and thus remove the condition preventing authority for concurrent receipt of military retirement pay and veterans disability compensation from taking effect.

My legislation allows those who have made sacrifices while serving our country to receive the benefits they deserve. This year the Budget Committee—and I am so grateful to Senators CONRAD and DOMENICI, chairman and ranking member of that committee, who included funding in this budget that we are going to approve, hopefully—and will provide funding for full concurrent receipt of Department of Defense retirement benefits and veterans disability benefits to veterans who are between 60- and 100-percent disabled as a result of their military service.

Also, this year the Armed Services Committee, chaired by Senator LEVIN and, as I have mentioned, the ranking member, Senator WARNER, authorized concurrent receipt of military retirement pay and veterans disability rated 60 percent or higher. This goes a long way to correct the injustice to those veterans who have served their country honorably.

The inequitable legislation prohibiting the concurrent receipt of military retirement pay and veterans disability compensation was approved by Congress shortly after the Civil War, when the standing Army of the United States was very small. At that time, only a small portion of our Armed Forces consisted of career soldiers.

I have been working on this for a long time. Each year we get a little closer to achieving this goal of 100-percent compensation for our Nation's veterans. We are going to continue working on this. But we have made it to this point for a lot of reasons. But I repeat, for no two reasons more important than Senators LEVIN and WARNER.

I stand before the Senate today, indicating this amendment that the committee has introduced should be approved by all Senators—we have 82 cosponsors—once and for all taking care of the inequity that our Nation's veterans have had to experience. Military retirement pay and disability compensation are awarded for entirely different purposes. The current law ignores the distinction between the two. Military retired pay is compensation veterans earn through the extraordinary sacrifices inherent in a military career. It is a reward promised for serving two decades or more under demanding conditions.

Veterans disability compensation, on the other hand, is to recompense for pain, suffering, and loss of future earning power caused by service-connected illness or injury. Few retirees can afford to live on their retired pay alone, and a severe disability only makes the problem worse by limiting or denying any postservice working life.

The U.S. military force is unmatched in terms of power, training, and ability. Our Nation's status as the world's only superpower is due to the sacrifices our veterans made during the last 100 years or more. Rather than honoring their commitment, though, and their bravery, by fulfilling what I believe are our obligation, the Federal Government, their employer in the past, has chosen instead to perpetuate a longstanding injustice. Simply, this is disgraceful and we must correct it.

Once again, our Nation is calling upon members of the Armed Forces to defend democracy and freedom—in a different way, perhaps, but still to defend democracy and freedom.

Today, about 1.5 million Americans dedicate their lives, every waking minute—some when they are not awake—to the defense of our Nation. I am sure they have many restless nights.

We must send a signal to these men and women currently in uniform that our Government takes care of those who make sacrifices for our Nation. We must demonstrate to veterans that we are thankful for their dedicated service. This is one way to do that. Career military retired veterans are the only group of Federal retirees who are required to waive their retirement pay in order to receive their disability pay. All other Federal employees receive both their civil service retirement and their VA disability with no offset. Simply put, the law discriminates against career military. It assumes wrongly, they either do not need or do not deserve the full compensation they earn for their years in uniform.

This inequity is absurd. How do we explain it to these service personnel who have sacrificed their own safety to protect this great Nation? How do we explain to other members currently risking their lives to defeat terror?

I have already mentioned the number of veterans we lose on a daily basis. Every day we delay acting on this legislation means continuing to deny fundamental fairness to tens of thousands of men and women. They will never have the ability to enjoy their well-deserved benefits unless we do something.

I received a copy today of a veto threat from the President saying that if this is in the bill, the President will veto it.

I don't know the President of the United States as well as JOHN WARNER, the senior Senator from Virginia, but I know him as well as anybody else in this Chamber. I think this was not done by President George W. Bush. This is staff directed. President Bush would not veto this bill because of what veterans are going to get. This is coming from some bureaucratic apparatus. President George W. Bush would not veto this. If he did, he would be a much different person than I have come to know.

I hope we will give this the proper action and just disregard it. The President will not veto this based upon this. If he did, I would be extremely disappointed and every veteran in America would be disappointed.

This amendment represents an honest attempt to correct an injustice that has existed for far too long. Allowing all disabled veterans to receive military retired pay and veterans' compensation concurrently will restore fairness to Federal retirement policy.

I have heard all kinds of excuses. Added to it now is this veto threat, which I don't take seriously. Now it is time for veterans to hear our gratitude and to see results.

I again express my appreciation to the committee and Senators LEVIN and WARNER for offering this as the committee amendment. That says it all. I hope we will respond overwhelmingly to support the committee action.

The PRESIDING OFFICER (Mr. JOHNSON). The Senator from Virginia.

Mr. WARNER. Mr. President, I thank the distinguished majority whip for his comments.

Mr. President, part of my remarks is an exact lifting from the CONGRESSIONAL RECORD of last year when Senator REID took the floor following the adoption by the Senate of the conference report on the authorization. Just three of us were here—Senators REID, LEVIN, and I. We talked about our commitment to bring this matter up again this year. It was a remarkable colloquy. I read it again not long ago. It shows the long period of time in which our distinguished colleague from Nevada has fought so hard for the veterans, and particularly those who were deprived of what I believe, of what Senator REID believes, and I believe what a majority of the Senate believes they are entitled to.

I thank my distinguished colleague from Nevada for his very thoughtful and kind remarks, but most importantly for his undying leadership through the years, coupled with others—our colleague from New Hampshire, Mr. SMITH, and Mr. HUTCHINSON, whom I urged come to the floor, and I believe he will be here shortly, and others.

I ask unanimous consent that a colloquy from 2001 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Congressional Record, Dec. 13, 2001]

Mr. LEVIN. I wish to very briefly take up other parts of this bill, including one in which Senator REID has been so involved. I want to get to that point immediately because he is in the Chamber now. I want to pay tribute to the effort he has made to try to end what is a real unfairness in our law. The unfairness is that our disabled veterans are not permitted to receive both retired pay and VA disability compensation. This is something that is unique to our veterans—that they are not able to receive both the retired pay plus the disability compensation, which they have been awarded. It sounds unusual to say one is ''awarded'' compensation for disability.

We had a provision in the Senate bill to address this inequity. We would have allowed our disabled veterans, as others in the Federal Government employ and others in society, to receive both retirement and disability pay. The House leadership was not willing to have a vote on the budget point of order, which would have been made, which would have authorized this benefit to be paid. So we were left with no alternative.

Senator WARNER and I were both there in conference, day after day. We pointed out that Senator Harry Reid has been a champion on this, and there are others in this body who have pointed out the inequity in the provision that prohibits the receipt of both retired pay and disability compensation.

At the end, we could not persuade the House to include this provision and have a point of order contested in the House. So what we ended up with was something a lot less than what we hoped we would get, and that is the authorization for these payments to be made, the authorization to end the unfairness, but it would still require an appropriation in order to fund them.

Mr. REID. Will the Senator yield for a question?

Mr. LEVIN. Yes.

Mr. REID. Madam President, I basically want to spread across the RECORD of this Senate my appreciation to the chairman and ranking member for the advocacy on behalf of the American veterans regarding this issue. This is basic fairness. Why should somebody retired from the military, who has a disability pension from the U.S. military, not be able to draw both? If that person retired from the Department of Energy, he could do both.

We have debated this, and there is overwhelming support from the Senate. It is late at night, but I want the RECORD to be spread with the fact that I deeply appreciate, as do the veterans, your advocacy. I want the RECORD to also be very clear that the Senate of the United States has stood up for this. The House refused to go along with us.

Also, I feel some sadness in my heart because we are going to come back and do this next year. Sadly, next year there are going to be about 500,000 less World War II veterans. They are dying at the rate of about 1,000 a day. So people who deserve this and would be getting this during this next year will not because the average age of World War II veterans is about 79 years now. So there is some heaviness in my heart.

We are going to continue with this. I don't want anybody in the House of Representatives to run and hide because there is no place to hide. This was killed by the House. For the third time, I appreciate Senator LEVIN and Senator WARNER.

So although I support the conference report for H.R. 3338, the National Defense Authorization Act for Fiscal Year 2002, I feel a sense of disappointment.

Once again this year, the conference report failed to include a provision on an issue that I have been passionately working on for the last couple of years. Namely, the concurrent receipt of military retired pay and VA disability compensation.

Unbelievably, military retirees are the only group of federal retirees who must waive retirement pay in order to receive VA disability compensation.

Put simply, if a veteran refuses to give up their retirement pay, the veteran must forfeit their disability benefits.

My provision addresses this 110-year-old injustice against over 560 thousand of our nation's veterans.

It is sad that 300–400 thousand veterans die every year. I repeat: 300,000–400,000 veterans die every year. They will never be paid the debt owed by America to its disabled veterans.

To correct this injustice, on January 24th of this year, I introduced S. 170, the Retired Pay Restoration Act of 2001.

My bill embodies a provision that permits retired members of the Armed Forces who have a service connected disability to receive military retirement pay while also receiving veterans' disability compensation.

The list of 75 cosponsors clearly illustrates bipartisan support for this provision in the Senate.

My legislation is very similar to H.R. 303, which has 378 cosponsors in the House. I'm thankful to Congressman BILIRAKIS, who has been a vocal advocate for concurrent receipt in the House for over fifteen years.

My legislation is supported by numerous veterans' service organizations, including the Military Coalition, the National Military/Veterans Alliance, the American Legion, the Disabled American Veterans, the Veterans of Foreign Wars, the Paralyzed Veterans of America and the Uniformed Services Disabled Retirees.

In October, I introduced an amendment identical to S. 170 for the Senate Defense Authorization bill. The Senate adopted my amendment by unanimous consent.

Unfortunately, the House chose not to appropriate funds for this important measure.

This meant that the fate of my amendment would be decided in a ''faceless'' conference committee.

It pains me deeply to see that my amendment was removed in conference.

This is an old game played in Congress in which members vote for an amendment to help veterans, knowing full well the amendment will be removed at a later time.

When will decency replace diplomacy and politics when it comes to the treatment of America's veterans.

Why won't members of the House of Representatives join their Senate colleagues and right this wrong?

Why can't we do our duty and let disabled veterans receive compensation for their

years of service and disability compensation for their injuries?

We gather at a solemn moment in the history of our great Nation.

On September 11th, terrorists landed a murderous blow against the World Trade Center and the Pentagon.

Right away, we saw the men and women of our Armed Forces placed on the highest level of alert. American troops then deployed to the center of the storm, set to strike against the enemies of all civilized people.

Our Nation is once again calling upon the members of the U.S. Armed Forces to defend democracy and freedom. They will be called upon to confront the specter of worldwide terrorism.

They will be called upon to make sacrifices.

In some tragic cases, they will be seriously injured or even die.

Most believe that a grateful government meets all the needs of its veterans, no questions asked.

I am sad to say this is not the case today.

I will continue this fight until we correct this injustice once and for all.

Mr. LEVIN. I thank Senator REID. He has been a champion of this cause. He has fought harder than anybody I know to end this inequity. The House leadership simply would not go along with this. We had a choice: We would either have a bill or no bill. That is what this finally came down to.

I believe Senator REID got something like 75 cosponsors for his provision. The Senate overwhelmingly supported this provision. I hope we have better luck next year in the House.

In the meantime, what we have done is we have authorized this, and perhaps our Appropriations Committee will be able to find the means to fund this. But until next year, I am afraid the number of veterans you have pointed out—perhaps 1,000 a day—will not get the benefits they deserve.

Mr. REID. I am on the Appropriations Committee. I will work toward that. I do want the RECORD to reflect my overwhelming support for this legislation. I feel badly this provision is not in it, but this is a fine piece of legislation on which the two of you have worked so hard.

Mr. WARNER. I also thank my distinguished colleague, Senator REID, for his leadership on this issue. We speak of a disabled veteran. I have had a lifetime of association with the men and women in the U.S. military. In my military career, I was not a combat veteran. But I served with many who have lost arms, legs, and lives. Those individuals, when they go into combat and lose their limbs, or suffer injuries, are somewhat reduced in their capacity to compete in the marketplace for jobs and do all of the things they would like to do as a father with their children and their families.

I take this very personally. I feel that some day the three of us—and indeed I think this Chamber strongly supports it—will overcome and get this legislation through. I thank the Senator for his leadership. He is right that the World War II veterans have died at a 1,000, 1,200, sometimes 1,400 a day, and many of those are being penalized by this particular law. So I thank the Senator and I thank my chairman. We shall renew our effort early next year.

Mr. LEVIN. I want to say one thing publicly. I want to again thank Senator WARNER. As he often points out, we came at the same time to this body. I have been blessed by having him as a partner and a ranking member for the short few months I have been chairman of the Armed Services Committee. Nobody could have asked for a better partner than I have had in Senator WARNER. There are times, of course, that we don't agree with each other, but there has never been a time I can remember in 23 years where we don't trust each other.

There is nothing more important in this body than to be able to look somebody in the eye and say that. That is something I feel very keenly. Our staffs have been extraordinary in their work. This has been a very difficult bill.

In addition to thanking Senator WARNER personally, I thank our staffs for the work they have done. Every night when I call David Lyles—every night—he is there with the staff until 10 or 11 o'clock. I do not even call him after 11 o'clock because that is when I go to bed, or at least I try to. I am pretty sure he stays on after that. I know it is true with Senator WARNER's great staff, too.

Mr. WARNER. Madam President, I thank my great chairman. He succeeded me as chairman. We just moved one seat at the table in our committee hearing room. I guess that was the only change. Of course, other things took place.

As he says, the trust is there, the respect is there. We travel. We just finished an extraordinary trip. We were the first two Members of Congress to go into the area of operations in Afghanistan, having visited our troops in Uzbekistan, our troops in Pakistan and Oman, and then on up into the Bosnia region where we visited our respective National Guards who are serving there now.

I value our friendship. I look forward to hopefully many more years working together. I thank my friend. We shall carry forward. We do this in the spirit of bipartisanship on behalf of our men and women in uniform of the United States. We are here to do the people's business, and I say to the Senator, we have done the people's business. We have been aided in that effort by Judy Ansley, my chief of staff, having succeeded Les Brownlee; and Senator LEVIN's wonderful David Lyles, and Peter Levine. I use Senator LEVIN's lawyer's legal brains as much as I use my lawyer's legal brains.

I thank our distinguished Presiding Officer, again, for helping us here tonight. I again salute and commend my staff. I am a very fortunate individual to be served so well in the Senate. We share our staffs in many ways. They get along quite well together.

Mr. LEVIN. Indeed, they do.

Mr. LEVIN. Mr. President, I wonder if the Senator from Nevada will yield for a comment.

Mr. REID. I am happy to yield.

Mr. LEVIN. Mr. President, I thank the Senator from Nevada for his very gracious compliments. As always, he seeks to give others more credit than they are due. He is modest in terms of what he himself has done. He has just simply been an invaluable leader on this issue. Senator SMITH and others clearly played an important role. But I really want to single out Senator REID.

If we get this done this year—and I expect we will—despite that veto threat, it will be in large measure because the Senator from Nevada, in his absolutely inimitable way, takes leadership of an issue that makes a difference in the lives of tens of thousands and perhaps hundreds of thousands of veterans who have earned both of these benefits.

I thank him for his gracious approach. I will tell him that we will carry on this fight in conference, assuming this is adopted. We will carry on the fight for part of it which was adopted in our bill—which is already there. I assure him that if we succeed, the veterans of this country will know who the principal leader was. Again, he is not alone. He would be the first one to say that. Senator SMITH, Senator HUTCHINSON, and others are critically important in this effort. But he clearly is the leader. I thank him.

Mr. REID. Mr. President, while I have the floor, I ask unanimous consent that Senator BIDEN be listed as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I ask unanimous consent that Senators CANTWELL and MIKULSKI be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, I would like to be added as a cosponsor as well.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Delaware.

Mr. CARPER. Mr. President, I extend my thanks to the majority whip and to the floor managers of the bill. Senator REID cares very deeply about this issue. I have known him for some time. We came to Congress together in 1982. We were classmates in the House of Representatives that year. MIKE BILIRAKIS of Florida has been a champion of this issue for close to 20 years.

I served as Governor for 6 years with George W. Bush when he was Governor of Texas. I do not know that I know him better than anybody else on the floor. I know him reasonably well. I am not altogether surprised that he would issue a veto threat on this issue. Before we go forward and approve it, I think that is clearly what is going to happen. I don't believe he is doing this out of some sense of lack of respect for the military. I clearly don't believe he would be doing this out of a lack of respect for those who served and became disabled during their service to their country.

I have not seen the veto message that Senator REID placed in the trash receptacle there. But it would be interesting to hear what the President's words actually were on the message. Does the Senator mind? It is not very lengthy.

Mr. REID. I have pulled it out of the file.

Mr. CARPER. I am happy to yield to the Senator.

Mr. REID. I preface this by saying I really do not think the President would do this. It is something that has overwhelmingly bipartisan support.

Mr. President, I ask unanimous consent that Senator ROCKEFELLER be added as a cosponsor of this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, this has 82 cosponsors. It is in the budget, as I indicated in my opening statement. There is money for it in the proposed budget. There is money for it in this

committee report. If somebody wants to vote against this, at least on the President's veto threat, that is their right. Here is the answer to the question.

The administration also believes that our current deficit projections necessitate strict adherence to fiscal discipline to ensure the quickest return to a balanced budget. The Administration is concerned that an amendment may be offered on the Senate floor that would expand this objectionable provision even further. Should the final version of the bill include either provision affecting concurrent receipt of retirement and disability benefits, the President's senior advisors would recommend that he veto the bill.

Remember, they would recommend it. That is why it deserves to be in the file.

Section 641 as currently drafted is contrary to the long-standing principle that no one should be able to receive concurrent retirement benefits and disability benefits based upon the same service. All Federal compensation systems aim for an equitable percentage of income replacement in the case of either work-related injury or retirement.

Work related? Legs blown off? Shot in the stomach?

The administration's preliminary estimate is that Section 641 would increase mandatory outlays by $18 billion from 2003 to 2012 and would also increase DoD discretionary costs for retirement . . .

That is basically what it is.

I say to the Senator from Delaware, I had forgotten you had served as a Governor with George Bush. I am sure you know him better than I. As I said, I think senior advisers would give him this and he would say: Find something else.

Mr. CARPER. I thank the majority whip for sharing that message.

I also had the privilege of serving on active duty in the military, in the U.S. Navy, when Senator WARNER was Secretary WARNER, Secretary of the Navy. And many of my colleagues, then and before and since, have become disabled and have retired in some instances, and a number of them, frankly, would like to draw a disability pension, and they would like to receive their retirement check as well.

The point in the President's veto message is this: We do not provide, anywhere in the Federal Government that I am aware of, for a person to receive the disability payment and retirement check for the same years of service.

For a person who served on active duty and was disabled, and subsequently took another job in the Federal Government, and earns a pension, they may receive their disability check for the years they served on active duty and were injured and then separately for their years they served in another capacity in the Federal Government. But the service is not for the same number of years.

What the President is saying in his veto message, just as his predecessors said, is: Should we make this exception? We, as Members of the Senate, for those of us who served in the military, can actually earn service credit for the time we served on active duty. There is a difference, though. We have to pay for it. It is not a gift. It is something we have to pay for in order to have our military service count toward our pension as a Senator or a Member of the House of Representatives.

I think the question the President is raising in his veto message is, Is it appropriate for us to say that a person who served in the military on active duty, who was injured, should subsequently receive a pension check, a retirement check, as well as a disability check for the same number of years? That is the issue.

The other issue is this: How do we pay for this? For me, that is really as important as the first question, maybe even more important. I have been here a year and a half, and I am becoming increasingly concerned that whatever sense of fiscal responsibility held sway here in the past is ebbing. I criticized President Bush for not providing leadership on the executive side for a balanced budget, for helping to lead us back into this situation where we now have looming deficits for as far as the eye can see. I have been critical of him on this point.

For him now to come before us and say, in the name of fiscal responsibility, this is something we maybe ought not to do—I think it would be hypocritical of me to ignore him for actually taking a stand I urged him to take in other areas.

I do not know about the rest of my colleagues, but when I see us cutting taxes and continuing to spend, and knowing that the money we are spending is money simply coming out of the Social Security trust fund, I do not feel good about that. And I do not see how any of us could either.

The question of whether or not someone should be paid a military pension and a disability check for the same time, same service, is one issue. But for me, a greater issue—I hope the chairman of the committee, the ranking member, or the Senator from Nevada can assure me that we are going to pay for this, not taking money out of the Social Security trust fund. That is my question.

I am happy to yield.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, if I may respond to my dear friend, as the Senator indicated earlier, his service and my service in the Congress started at the same time. During that period of time, the Senator from Delaware has developed, deservedly, a reputation for being very fiscally frugal. I say that in the most positive sense. He is a person who understands numbers and budgets. He is very concerned about that. And I appreciate his remarks about this.

I would say I am also concerned about the fiscal impact of anything we do here. We have done a lot of things that cost a lot of money. We should always be concerned about that. One of those who always does his best to keep us on the straight and narrow is the Senator from Delaware.

I say that someone who served in the military enough years to retire and is disabled deserves both pensions. We can talk about time of service and all that. I do not think that is any different from someone who was disabled in the military and also retires from the Department of Energy or the Department of Interior. It is all Government service. I think the military retirees should have more attention rather than less. Our legislation, in my opinion, will take away the less attention that these men—mostly men; now men and women—for the last 100 years have received.

But I share with the Senator from Delaware problems we have budgetarily. I say to my friend from Delaware, I was the first to offer an amendment on the balanced budget constitutional amendment that you could not do that using Social Security surpluses. It got 44 votes. It almost passed. But I do think my efforts in drawing attention to the fact that the constitutional amendment would have taken Social Security surpluses was—I hope—enough or one of the reasons the constitutional amendment was defeated.

So I look forward to working with the Senator from Delaware to try to save money, to try to do things to balance the budget, as we had a balanced budget not long ago. As you know, I say to my friend through the Chair, last year we had a surplus of $4.7 trillion over 10 years at this time. That is gone.

But having said that, I have not lost any of my fervor or passion for this amendment. This is something we have to do. The Senator from Delaware certainly has been a leader in other areas in this, trying to focus on how else we can save money. I know that the Senator from Delaware—with his wide-ranging experience in State and Federal Government, including being Governor of his State for two terms, and having served for a long time in the House of Representatives, and now serving in the Senate—can help us find ways to save money and not have to hurt those who I think are very deserving veterans.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, before our distinguished colleague from Delaware departs the floor, I would like to ask a question of him. He is a modest man, but I hope he will provide some insight.

When I was privileged to come to the Senate 24 years ago, nearly three-quarters of the Members of the Senate had, at one time or another, worn the uniform of their country. Because the world has changed so much since that period of time, and so forth, very few Members today have had the opportunity, really, to serve, and therefore it is now—where it was 70 to 75 percent—down to 30 percent.

But I would like to just ask a question because many are studying this RECORD and following this colloquy.

I have always believed, Mr. President, fellow Senators, that the military service is an inherently dangerous profession and that any individual—man or woman—who accepts those risks—in the course of my remarks, which I will eventually make, I will cover this in greater detail. But my recollection of our distinguished colleague from Delaware, when I was privileged to be the Navy Secretary, was in naval aviation. It was during the period of the cold war.

But, I say to the Senator, perhaps you would share with us, frankly, what went on in your mind every time you took off, every time you landed. Your missions, at that time, as I recall, were basically in the antisubmarine operation. You may not have been fired upon, but the simple act of flying that plane every day, together with your crew, was one of danger, one of risk.

We saw an extraordinary rendition on television last night of that plane that was involved in firefighting. The wings collapsed. In the course of my period—I do not claim to be any hero or anything else, but I certainly have witnessed a lot of harm that has been inflicted, one way or the other, to the men and women who have worn the uniform.

I ask the Senator from Delaware, does he share my basic thesis that it is an inherently dangerous business, not only to the individual but, indeed, for the families who will await their return every day?

Mr. CARPER. When I was on active duty in the Navy, I was 21 years old and served until I was 25. We served three tours in Southeast Asia. Our aircraft was the P–3 which we used to track Soviet nuclear submarines in the oceans of the world. When we were in Southeast Asia, our job was to track shipping traffic in and out of Vietnam. I flew a lot of low-level missions. I loved the Navy. The Senator loved the Navy as well. I served for 23 years active and reserve duty. Four years before that, I was a Navy ROTC midshipman. I loved the mission. I was young. I had no family. I could not wait to get in that plane. I could not wait to take off, and I loved being part of my squadron.

This was a time in my young life when we felt we were invincible. We knew we weren't, but we sure felt that we were. I served the country, as I know you did, because I loved my country. I would do it all over again if given the opportunity.

Mr. WARNER. I am sure you witnessed operational accidents in those instances that you saw on active duty probably as I did when I was a ground officer in the aviation unit in Korea. But some of those who shared the tents with me never came back. Some were operational. I remember our commanding officer, a tried and trusted combat veteran from World War II. His name was Al Gordon. His plane took off on a mission and burst into flames. He crashed not a few miles distant from our field. Again, accidents happen with great frequency. It is a dangerous business for all those involved. They accept those risks, expecting those of us in Congress to support them and their families such as the purport of this legislation.

I thank my colleague.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, if I could ask one question to the chairman and manager of the bill, then I will stop. I listened, when I was presiding, to the chairman explaining the amendment and explaining how this benefit would be paid for. I have to tell you, I did not understand the rationale for offering this amendment outside of the bill, why it was not included as part of the bill. I did not understand why it is subject to a budget point of order.

Would the chairman explain how we propose to pay for this benefit? That is my question: How do we propose to pay for it?

Mr. LEVIN. There is an allocation in the budget resolution for mandatory spending. That allocation was utilized inside of our authorization bill because we believe that 60 percent disability should not be a dividing line, that there is not a logic to that, and that everybody who has a disability should be able to receive concurrently both retirement and disability pay. We have a committee amendment which will achieve that.

If we had done this inside of the bill itself, if we had put this language we now offer in the committee amendment inside of the bill itself and brought it to the floor, the whole bill would have been subject to a point of order. We decided to reduce the risk of that occurring by offering a committee amendment for that part of the funding which is above the allocation in the budget resolution.

Mr. CARPER. My basic question for the committee chairman is, How do we pay for this benefit?

Mr. LEVIN. The same way we pay for the bill, for anything else we do in this, anything else that Congress authorizes and appropriates money for.

Mr. CARPER. I thank the chairman.

Mr. LEVIN. With the permission of my ranking member, since we will both be here anyway, I wonder if I could ask unanimous consent, since two of our colleagues on the committee have been here waiting, whether the Senator from Louisiana could be recognized after this matter is discussed, with Senator REID perhaps responding, and then the Senator from Arkansas being recognized immediately after the Senator from Louisiana.

Mr. REID. If I could reserve the right to object, I have spoken to the Senator from Louisiana. I believe Senator HUTCHINSON from Arkansas is the final speaker on this underlying amendment.

We could dispose of this amendment within the next little bit. And if we could do that quickly, I don't know, if I could ask through the Chair the Senator from Arkansas how long he wishes to speak on this matter.

The Senator from Arkansas indicates he would take about 5 minutes. Senator LANDRIEU has indicated she has a longer statement. Senator HUTCHINSON could speak. Senator WARNER could say whatever he needed to say.

Mr. LEVIN. After Senator LANDRIEU is recognized.

Mr. REID. We would pass it before she is recognized.

Mr. LEVIN. If that is agreeable to the Senator from Louisiana, I would then ask that she be recognized for 5 minutes on the amendment itself; then that Senator HUTCHINSON be recognized; then Senator WARNER for his remarks after disposition of this amendment; and that Senator LANDRIEU then be recognized.

Mr. REID. If I could interrupt, your very able ranking member has indicated that if we could have these two 5-minute speeches, we would move to passing this amendment. Then he is going to be on the floor of the Senate a lot so he could speak on this.

Mr. WARNER. I can speak following passage of the amendment.

Mr. REID. I ask unanimous consent that Senator LANDRIEU be recognized for 5 minutes to speak on the amendment and Senator HUTCHINSON be recognized to speak for 5 minutes on the amendment and then we will vote on the amendment. That would be by a voice vote. Then it is my understanding Senator LANDRIEU wants to be recognized after that.

Ms. LANDRIEU. For at least 15 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Senator WARNER has made a brilliant suggestion.

Mr. LEVIN. Another brilliant suggestion.

Mr. REID. Why don't we adopt this amendment right now, then have the speeches.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I ask unanimous consent that Senator WELLSTONE be added as cosponsor to the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

If there is no further debate, the question is on agreeing to amendment No. 3912. Without objection, the amendment is agreed to.

The amendment (No. 3912) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I appreciate an opportunity to say a word

on this amendment that we just voted on and then to present some information about the underlying bill in reference to the Subcommittee on Emerging Threats and Capabilities.

Let me begin by thanking the chairman of our committee, our most able chairman and our most able ranking member, for their extraordinary and bipartisan work on the underlying bill. Let me also thank them for joining their forces and their talents and their persuasive skills to put forward the amendment that we just discussed in some detail.

I am proud to be a cosponsor of the amendment just adopted. I believe it is something we most certainly should do. It is a shame we have not taken this action previous to this year. There are 25 million veterans who have served our Nation proudly and bravely. Only 2 percent, about 550,000 veterans, quite a large number but a small percentage, have been disabled on the battlefield, have received serious injuries in many cases; in some cases, minor injuries, but in all cases, relative to the service, and many of those were received on the battlefield.

In Louisiana, that is about 12,000 men and women who have served proudly and bravely, about 3 percent. While there is a cost associated, as has been discussed by both our chairman and our ranking member, and noted by the Senator from Nevada who has led this fight over many years, while there is a cost associated, it is a cost that this budget and this Nation and this economy should bear for the small percentage of veterans who were disabled when serving the Nation so they don't have to be shortchanged in their retirement because they have also given up a limb or two, or a bodily function that prevents them from living in a way that many others enjoy. It is the least we can do, and I am only sorry it took us this long to get to this point.

I agree with the Senator from Nevada that I think the President would not veto this very well-put-together bill over this issue. I think he will, in the end, join with members of the Democratic Party and the Republican Party to support the extension of this benefit and to fix an injustice that is in the payment and compensation scheme and plan for this Nation.

Again, only 2 percent of the veterans have received injuries that caused them to be disabled—legally designated as disabled—and they are simply asking, since they joined up, signed up, put the uniform on, and were injured in the line of duty and it caused them to be disabled so they are unable to be productive because they gave their physical, mental, and spiritual contribution so that the rest of us could be productive, the least we can do is to say you don't have to be shortchanged in your retirement. We are happy and proud and it is our honor and duty to provide you with your disability and your retirement, both of which you have earned.

So while I appreciate the comments of the other Senators who have questioned how we might afford it, my question is, How can we not afford it? Why haven't we done this before? I am proud to support the amendment, and I hope we will be able to have a good negotiation with the House and the President to support the men and women in uniform who were hurt, many seriously, and have given great sacrifice, while keeping the rest of us safe. At least we can give them a full disability check and a full retirement check.

I want to speak for approximately 15 minutes on the underlying bill. Particularly, I want to speak as it relates to the Subcommittee on Emerging Threats and Capabilities, which is the subcommittee I now chair with my most able and very good partner, the Senator from Kansas, Mr. ROBERTS.

Douglas MacArthur said that in war there is no substitute for victory. We are engaged in a war right now unlike we have ever been engaged in before. We have never really fought a war such as the one we are fighting today. We are in the process in this underlying authorization bill, which funds our Department of Defense at the highest level ever—the highest level in many years—and we are in the process of shaping our defenses and our offenses to fight this new kind of war.

In this war, our enemies are not wearing uniforms of a recognized state; they are not using conventional weapons or a conventional means of attack. They are using weapons of mass destruction, which they did on September 11, by taking several of our own airplanes and filling them with fuel and turning them into flying bombs and flying them into some of the greatest buildings and symbols here in America on a Tuesday morning when the Sun was shining. They didn't attack men and women in the military; they attacked civilians. They attacked innocent men and women and children who were unprepared for what was happening to them, and they could never have really been prepared for such a horrible and horrific attack.

These are fanatics, people who are cowards; these are terrorists, murderers, and people who are going to use weapons of mass destruction. They have proven so because they have used them, and they will continue to use whatever weapons they can get their hands on to wreak havoc here in America and to our allies as well.

I just received word that there has been yet another suicide bomb that hit Jerusalem within the last few hours.

I have to say this because my children just finished school this year. My 10-year-old and 5-year-old celebrated their last day of school a couple weeks ago. I can't tell you how difficult it was to read the article about yet another suicide bombing that occurred in Jerusalem just yesterday morning, where 19 people were killed. The description of that event in the New York Times was that the bus was full of schoolchildren. The bus was full of workers going to work. I cannot imagine the pain of a parent putting a child on a bus, and they are on the way to school with their books and in their uniforms, and then the parents are called to come collect the body parts a few hours after they put their child on a bus. That is terrorism. That is what we are fighting.

That is what this bill is funding. This is what we have to have a victory over. Israel is in a battle for survival. We are not in the same position, obviously, and not in the same sort of vulnerable situation; nonetheless, this is the new kind of war.

If we don't strengthen our military, if we don't support new strategies, new defenses, focus on intelligence and on getting the coordination of our intelligence so we are not caught off guard in the future, if we fail, stumble, or delay in trying to rearrange some of our strategies, we will let our people down and not give them the protection they deserve in this war against murderers and cowards and fanatics.

I am proud to stand here to represent for a few minutes our subcommittee, the Emerging Threats and Capabilities Subcommittee, which was formed a few years ago for this exact purpose, to help our military think differently about these new threats, about the new ways we are going to fight these wars. I cannot tell you how much I appreciate the leadership of the chairman from Michigan and the ranking member from Virginia in supporting our efforts to help give our military the support they need.

We will achieve victory. There is no question about that. America will continue to lead our allies and we will be, year in and year out, decade in and decade out, victorious because we will be able to meet these challenges. In this bill we are discussing we have taken some of the first steps.

Well before September 11 our subcommittee explored these new threats, such as terrorism, the use of weapons of mass destruction, which not only are going to face our men and women in uniform as they fight in faraway places but also our civilians. Our civilians are well aware of these threats. There is general fear and anxiousness, understandably, now in the Nation. They are depending upon us to provide the framework for this new defense.

Our committee worked to authorize the critical programs that are creating these new capabilities that will help to make this transformation possible. Again, we focused on combating terrorism, chemical and biological defenses, which we have come to know and understand much more in these last few months—how we must be prepared to fight against these new weapons, as horrible as they are.

Our committee also wants to support in a full way our Special Operations Command, which is a relatively small force, but an extraordinary force, a very brave force—something that was

created by this Congress to meet these new demands and the new threats and which is executing spectacularly in Afghanistan. Our committee and this subcommittee support their work.

The nonproliferation program, which is to try to help identify and stop the proliferation of nuclear materials through the Department of Defense and Department of Energy is part of our mark, as well. And I feel very strongly, as I know the Senator from Michigan, Mr. LEVIN does, that we need to keep up the research development and testing and evaluation in the science and technology account in our military budget.

Let's not lose sight that this war is not only going to be won with muscle but won with a lot of brains. It is going to be won because we are on the cutting edge of new technology in every aspect.

In order to get those new technologies to the battlefield, we have to invent them. The way we invent them is research, research, research. We cannot undermine the research in this budget.

S. 2514 recommends additional funding in each of these areas that are intended to support this subcommittee's objectives and all the objectives as outlined by Senator LEVIN. I will take a few minutes to go through a few of them.

The President's budget request included $7.3 billion for combating terrorism, and another $2.7 billion for combating terrorism items in the emergency response fund. This bill supports the President's initiatives, as well as $30 million for additional research and development that we think is crucial to achieving some of the goals we have outlined.

In response to the unsettling results of a recent GAO report on military installation preparedness for incidents involving weapons of mass destruction, this bill includes a provision that directs the development of a comprehensive plan to improve the preparedness of these installations.

Also in light of continued confusion about the Department's role—and understandable confusion. We have not fought a war on our own homeland since the Civil War. We have been positioned to fight overseas, to protect our perimeters thousands of miles away. Now our military has to think: Is that the right strategy and, if not, what role should we play with our local law enforcement and local police protection?

It is not a simple question, and our bill directs the Department and the Secretary of Defense to submit a detailed report on how DOD should be fulfilling this new homeland mission so that we can help them come to the right conclusions regarding this new state of affairs.

In the area of nonproliferation, for too long our programs with Russia and the former Soviet Union were, in my opinion, mischaracterized. Many people characterized this as wasteful foreign spending. Since September 11, I hope we have come to realize that funding these programs should be in the forefront as a means to eliminate the spread of weapons of mass destruction. This is not wasteful foreign spending.

It is out of self-preservation that we seek to make these programs robust and effective to prevent weapons of mass destruction from falling into the wrong hands because we have seen the result.

I want to read a quote from a distinguished former chairman of the Armed Services Committee, Sam Nunn, who led this committee beautifully for so many years. Senator Nunn said shortly after September 11:

> The terrorists who planned and carried out the attacks of September 11 showed there is no limit to the number of innocent lives they are willing to take. Their capacity for killing was limited only by the power of their weapons.

Intelligence and field reports from Afghanistan point to al-Qaeda's desire to acquire weapons of mass destruction. We have seen much more of that in the news lately. But the visions of Senators Nunn and LUGAR a decade ago have limited the terrorists' weapons and capability of killing because they started before the headlines, before the attacks of September 11 putting programs into place because of their vision. This committee wants to support that vision and make it more robust, and we have.

Accordingly, Congress and the President must continue to push forward in nonproliferation programs. This underlying bill is not perfect, but it puts us well on the way and honors the work that Senator Nunn and Senator LUGAR accomplished, again, prior to September 11.

Among the legislative provisions, we have also included support of granting permanent authority, which the President asked for, for the President to waive on an annual basis the preconditions to implementing the Cooperative Threat Reduction Program.

We have also included Senator LUGAR's bill that will provide discretionary authority to the Secretary of Defense to use CTR funds outside the former Soviet Union, which is very important as we have discovered that maybe our whole problem is not going to be only confined to former Soviet Union states but, unfortunately, now other states. We have to have a robust plan for containment and cooperation, and Senator CARNAHAN's bill encourages the Secretary of Energy to expand the cooperative program beyond traditional weapons grade material.

These are two essential components to build on the legacy and the work that Senator LUGAR and Senator Nunn have so beautifully done over the years.

I wish to comment on two more areas, Mr. President. As I mentioned, in science and technology, the President's budget included $9.9 billion for S&T programs. This is both good and bad news. It is only 2.6 percent of DOD's budget. It is the lowest percentage since fiscal year 1992. Although the dollar amounts have increased because the overall Defense Department bill has increased, it is not near the goal of 3 percent, which is where we want to be, and it is a less percentage than last year. So the trend lines are not going in the most positive direction.

I hope we can continue to work in this area because this is important to our subcommittee and to our entire committee, and I think it is important to give the support to our military so we can be not only the strongest but the smartest. We are going to be working on that as well.

In chemical and biological weapons, I visited the Army's infectious disease research laboratory at Fort Detrick. It was a very fine day we spent touring that facility. I was taken aback by the hard work and dedication of the civilian and military researchers who are working to develop the defenses and cures we need to fight these new biological weapons.

I should note for all Senators that this laboratory, the U.S. Army Medical Research Institute of Infectious Diseases, USAMRIID, did the analysis of the anthrax that was sent to the Senate of the United States last year. In addition to their work, they analyzed more than 15,000 samples of anthrax and other biological agents, using facilities that are very small and overcrowded. I believe if I took anyone from Louisiana or elsewhere to visit this facility, they might be very surprised to see the cramped quarters. They would be proud of the extraordinary work, but they would be surprised to see the cramped quarters in which we are asking people to operate when this threat is real, this threat has happened, this threat will probably happen again.

There is money in this budget to upgrade those facilities, and I am proud to be a part of that.

Of course, it is important to the Maryland Senators because this facility is in Maryland, but it is important to our whole Nation. I am proud to be leading that effort to give us the finest lab facilities to deal with these new threats. We did not have to do this in World War II. We did not have to do this in Vietnam. We have to do it now. Our scientists are on the front lines, our lab technicians are on the front lines, and this bill needs to reflect the new realities.

We also fund a number of innovative projects for chemical and biological defense including improved sensors, decontamination technologies, and equipment and promising nanotechnologies. But it also includes provisions to allow defense labs to cut the red tape, adopt more business-like practices so they can be more competitive in attracting the finest technical talent and doing the best technical work for the Department and for the Nation.

One final point: Over the last few years, our subcommittee has requested that the Department perform a careful evaluation of their testing and evaluation facilities. The reason is we want to make sure we are testing all these new weapons systems, new technologies, so that when we get them to the battlefield, they actually work.

We want to make sure the right incentives are in this bill to have good and robust testing. The procedure we are using now to explain in the most simplified way is that they are not the right incentives in place to have the right kinds of testing because the testing budget is competing with the production budget.

So we have put in a proposal that hopefully will not create a new bureaucracy and not take discretion away from the services. We do not intend to slow down getting new technologies. We want to make sure we are doing our taxpayers a good service by making sure we are testing before the battlefield in a way that helps us save taxpayer money and gives our soldiers and sailors what they need to fight effectively. That is a very important component.

Finally, in special operations, I say again that this force is doing extraordinary work. They only have 1.3 percent of this whole budget, but they are basically the ones we see on the news every night fighting al-Qaida in the caves and in the desert, everywhere, over ground, underground, in the air, on the battlefield, protecting us and hunting down these murderers, cowards, and terrorists, wherever they are.

We are proud that we are recommending $96.1 million to Special Operations Command to make sure they can address their training and pressing equipment needs for the forces, the new radios that we saw on the news, the emitter radios. When the special operations were riding horseback, they were calling down the strikes from our bombers and our fighters, and that was a result of the work our subcommittee did in a bipartisan way to provide our warfighters on the battlefield with what they need to get the job done, thinking outside the box, and we are really proud of the work they have done.

In addition, besides good communications equipment and good training, these special operations forces, because of the human intelligence now that is required, need much more foreign language training, more sophisticated sort of schoolwork, to make sure that our fighters are up to the task, and we are really working with foreign operations to provide them funding for the new kind of training, particularly foreign language, that is going to be necessary for all of our military in the future as we find ourselves operating in very different circumstances, in different countries with different cultures, trying to understand very complicated geographic, cultural, and religious conflicts.

Over the past year, and in fact well before September 11, this subcommittee has looked at the new threats, such as terrorism and the use of weapons of mass destruction, that will face our military and our Nation in the 21st century. It has worked to authorize the critical programs in the Departments of Defense and Energy that are creating the new capabilities that will transform the military to help it meet and defeat those threats.

Chairman LEVIN's guidelines for the Armed Services Committee in developing our legislation included two themes where this Subcommittee focuses much of its work:

Promote the transformation of the armed forces to meet the threats of the 21st century.

Improve the ability of the armed forces to meet nontraditional threats, including terrorism and weapons of mass destruction.

As the subcommittee is responsible for monitoring emerging threats and helping ensure that our military has the capabilities needed to respond to those threats, this subcommittee's jurisdiction includes the following: research, development, test and evaluation, RDT&E, including science and technology, S&T accounts, Special Operations Command, combating terrorism, counter-drug programs of DoD, nonproliferation programs of DoD and DOE, and chemical and biological defense.

This bill recommends additional funding or legislative provisions in each of these areas that are intended to meet the objectives of Senator LEVIN's proposed guidelines. I will describe our major efforts in each of these areas.

The President's budget request included $9.9 billion for science and technology programs. Unfortunately, this is only about 2.6 percent of DoD's budget, the lowest share since fiscal year 1992, and far short of Secretary Rumsfeld's goal of 3 percent of the total budget, which would be more than $11 billion.

This subcommittee has oversight over the majority of S&T programs within the Defense Department.

This bill recommends significant increases for the Department of Defense's research and development budget, as compared to the President's budget request. In particular, I want to note that there are recommendations to increase the science and technology budget request by over $170 million. There are significant increases for: Combating terrorism and weapons of mass destruction; Army transformation, including funding $100 million of Army unfunded requirements in science and technology; technologies to reduce the effects and costs of corrosion on ships and aircraft; fundamental scientific research at national labs and universities; and cyber security, including continuing the important information security scholarship program championed by Senator WARNER.

This bill includes legislative provisions to address the issue of speeding the transition of defense technology from the laboratory into the hands of warfighters. This will give our troops the most advanced technology available more rapidly and improve the return on our S&T investments. They will also help our small businesses get prompt and fair evaluations by DOD of their technology ideas for combating terrorism.

During the past year, I visited the Army's infectious disease laboratory at Fort Detrick, MD. I was taken aback by the hard work and dedication of the civilian and military researchers there, who are working to develop the defenses and cures that we need to fight the threat of biological weapons. I am pleased that the bill also includes provisions to continue the Senate's efforts to improve the quality of our nation's defense laboratories. This legislation reauthorizes and expands a number of pilot programs previously established by our subcommittee under Senator ROBERTS. The programs allow defense labs to cut red tape and adopt more business-like practices so they can be more competitive in attracting the finest technical talent and doing the best technical work for the Department.

The bill includes a provision recommended by Senator LIEBERMAN that establishes a coordinated, joint Defense Nanotechnology R&D Program. This legislation will ensure that the Department invests sufficiently and wisely in this revolutionary technology area, and plans the program strategically from the start so that new nanotechnologies can be used by our warfighters as soon as possible.

The bill includes a provision requiring the Secretary of Defense to carry out a program to identify and support techological advances that are necessary to develop vehicle fuel cell technology for use by the Department of Defense. The program is to be conducted in cooperation with the Secretary of Energy, other appropriate federal agencies, and private industry, with at least half of the total cost of the program to be borne by industry. The program, which is authorized at $10 million, will also focus on critical issues for fuel cell vehicles such as hydrogen storage and development of a hydrogen fuel infrastructure.

There are a number of other funding provisions throughout the bill, totaling over $50 million, that support increased development or use of revolutionary and advanced technologies such as hybrid electric technology, advanced batteries and fuel cells.

Three years ago, the Emerging Threats and Capabilities Subcommittee initiated a provision requiring a task force of the Defense Science Board (DSB) to report on the state of the Department's test and evaluation facilities. The DSB report, issued in December 2000, concluded that ''the T&E process is not funded properly, in phasing or in magnitude.'' As a result, ''testing is not being conducted adequately'' and ''there is growing evidence that the acquisition system is

not meeting expectations as far as delivering high quality, reliable and effective equipment to our military forces.''

The annual report of DOD's Director of Operational Test and Evaluation, DOT&E, for fiscal year 2001 endorses the views of the Defense Science Board, concluding that: ''The acquisition process fails to deliver systems to the warfighter that meet reliability and effectiveness requirements.'' In other words, DOD's Director of Operational Test and Evaluation and the Defense Science Board have both concluded that the Department's systematic underfunding of test and evaluation has resulted in a situation where we cannot give our troops the assurance they deserve that weapons systems will function the way they are supposed to in combat conditions.

This bill includes a series of provisions designed to reverse this situation by implementing the recommendations of the DSB and the Director of OT&E. The most important of these provisions would address longstanding funding shortfalls in the T&E infrastructure accounts, as recommended by the Director of Operational Test and Evaluation and the Defense Science Board, by requiring the Department to: (1) fund the T&E infrastructure through direct appropriations, rather than through surcharges on T&E ''customers''; and (2) establish a central T&E ''resource enterprise'' to handle this infrastructure funding.

The first provision would transfer roughly $250 million of testing funds from individual programs to separate T&E accounts to achieve direct funding. The money would still pay for the same things, but out of different accounts: the programs from which the money was transferred would benefit from a reduction in the rates that they are charged for testing (to be achieved by eliminating overhead charges). Because the new funding approach would reduce the prices charged to T&E customers, the Director of OT&E and the DSB believe that this approach would reduce the current disincentive to testing.

The second provision would improve the ability of the test and evaluation facilities to compete for limited funds by giving them a high-level advocate within the Department. We share the view of the Director of OT&E and the DSB that we owe it to our men and women in uniform to ensure that the weapons systems that they carry into battle will work as intented in an operational environment. Adequate testing of weapons systems is not an abstract concept: lives depend upon it. For this reason, the committee would implement the recommendations of the Director of OT&E and the report of the Defense Science Board task force on test and evaluation capabilities.

The President's budget request included $4.9 billion for the Special Operations Command SOCOM, keeping their budget steady at 1.3 percent of the overall defense budget. The bill under consideration recommends adding $96.1 million to the SOCOM request to address training shortfalls and pressing equipment needs of the forces, such as radios for Army Special Forces and night vision goggles for Navy SEALs.

About half of this additional funding was offset by a combined $13.7 million transfer of fiscal year 2002 funding as requested by the Command for the Advanced SEAL Delivery System program, which faces numerous problems, and a reduction in premature fiscal year 2003 funding for procurement of a second mini-submarine.

The committee's bill fully funds the research and development associated with the program, and recommends that about a fourth of the procurement funding be released only after the Secretary of Defense reports to the committee on how remaining technological, schedule and cost challenges associated with building the mini-sub will be addressed.

In addition, the bill includes a provision directing the Comptroller General to examine Special Operations Forces' foreign language requirements, training and means of achieving and retaining language proficiencies.

The President's budget request included $7.3 billion for combating terrorism and another $2.7 billion for combating terrorism items in the Defense Emergency Response Fund, DERF. S. 2514 would authorize the portion of the budget request under our jurisdiction and add some $30 million for research and development programs aimed at combating terrorism.

In response to the unsettling results of the GAO report that the committee required in last year's bill on military installations' preparedness for incidents involving weapons of mass destruction, we have included a provision that directs the Secretary of Defense to develop and submit a comprehensive plan to improve the preparedness of military installations to deal with WMD incidents. The plan will include a strategy with clear objectives and resource requirements, as well as a performance plan for achieving and measuring implementation.

Finally, in light of continued confusion about the Department's role and strategy for defending the homeland, the bill directs the Secretary of Defense to submit a detailed report on how DOD should be and is fulfilling its homeland defense mission.

With respect to counter-drug activities, in addition to authorizing the budget request of $849 million, the bill provides an additional $25 million for the National Guard counter-drug State plans. This additional funding is of specific interest to many Senators.

The bill fully funds the budget request for both the DOD Cooperative Threat Reduction programs and the related programs at the Department of Energy, including a $15 million increase for the DOE nonproliferation research and development work. There are several legislative provisions that have been included to support these nonproliferation programs:

At the administration's request, we included permanent authority for the President to waive, on an annual basis, the pre-conditions to implementing the Cooperative Threat Reduction Program. There is legislation to support the administration decision to transfer the program to eliminate plutonium production in Russia to the Department of Energy from the Department of Defense. We included Senator LUGAR's bill that would provide discretionary authority to the Secretary of Defense to use CTR funds outside of the Former Soviet Union; and We also have Senator CARNAHAN's bill that would direct the DOE to explore ways to secure nuclear materials and improve nuclear plant security worldwide.

This bill funds a number of innovative projects for chemical and biological defense, including improved sensors, decontamination technology and equipment, and promising nanotechnology. It also includes a reduction to the budget request for a one-year spike in chem-bio defense funds that Department officials acknowledge are not executable and not well defined.

The bill authorizes the full funding requested by the Defense Department for chemical demilitarization, almost $1.5 billion fir fiscal year 2003. It includes a legislative provision that would provide the funding in a Defense Department account, as required by law, rather than in an Army account, as the budget request did.

I am proud to be associated with this bill and want to thank the chairman, ranking member, and especially my ranking member, Senator ROBERTS, and all the members of my subcommittee for working together to produce this legislation. I believe that it takes a great step in transforming our military to face an uncertain future and a host of ever-changing threats. I strongly support this bill and urge the Senate to pass this legislation.

It is my pleasure to serve as chair of this important subcommittee. It was great working with Senator ROBERTS and the other Members. I again thank Senator LEVIN for his leadership because this Emerging Threats Subcommittee is important to be part of the front line of helping reshape our military and provide the protection that our taxpayers and our citizens expect in this new war against people who are cowards, fanatics, and murderers, who do not wear a uniform and who have decided they are not going to attack people in uniform but they are going to attack innocent men, women, and children. So we need to be prepared for the future, and I think we are.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. LEVIN. Will the Senator from Arkansas yield for 30 seconds?

Mr. HUTCHINSON. I will yield.

Mr. LEVIN. He has been very patient, and I very much appreciate his yielding to me.

I thank Senator LANDRIEU for her absolutely invaluable contribution as chairman of the Emerging Threats Subcommittee. This subcommittee, under her leadership, and under the leadership of Senator ROBERTS before her, has seen what has been coming and has been doing everything within its power to put resources into defeating the new emerging threats, the terrorist threats we face. Her leadership has been absolutely superb. I thank her very much for that.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. WARNER. Will the Senator yield for a minute?

Mr. HUTCHINSON. Yes.

Mr. WARNER. I likewise say to our colleague who serves on the Armed Services Committee, we appreciate her work. I think she gave a well-delivered statement from the heart.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. HUTCHINSON. Mr. President, I rise in strong support of the concurrent receipt amendment. I thank Chairman LEVIN for ensuring it was a committee amendment. It came out with the full endorsement and strong support of the committee.

I thank the distinguished Senator from Virginia, Mr. WARNER, for his commitment to concurrent receipt and how engaged he has been on ensuring that this finally becomes a reality. And a special thanks to Senator REID, with whom I have been privileged to work on this important issue. We introduced S. 170, the Retired Pay Restoration Act. Last year, we offered this amendment to the Defense authorization and saw it pass overwhelmingly on the floor of the Senate. Truly, Senator REID has been the champion of this issue. I believe we are on the verge of a real victory on this, and I commend him for his commitment and his diligence, year in and year out.

The word ''injustice'' has been used a number of times in regard to the issue of concurrent receipt. I think it is the right word to use and it is the right context in which we put this vote. Military retirees are the only group of Federal retirees who are forced to fund their own disability benefits. That is the issue. Military retirees are the only group of Federal retirees who have to fund their own disability benefits. The Senator from Louisiana rightly pointed out that we are dealing with only a portion of our veterans, about 400,000 disabled military retirees, who must give up their retired pay in order to receive their VA disability compensation. For those 400,000, it is the most important issue of the day—it impacts their daily lives. I suggest to my colleagues that it is a far bigger issue than those 400,000. As the ranking member on the Personnel Subcommittee, I have seen how important issues like concurrent receipt are to the recruitment and retention of our men and women in uniform.

The kind of message that our Government sends, the kind of dynamic we create, is reflected in issues such as this. When military retirees are treated in a discriminatory way, when they are treated with less respect than other Federal retirees, the message to the American people, the message to our young people who are considering what career to go into, is sent that we do not truly value them. We may say the words and we may salute them and we may honor them, but if we do not honor them in policy, then we are not honoring them as we should.

I want to share with my colleagues excerpts from two letters I received in recent days from my constituents. One is from a veteran in Harrison, AR, who said:

> It is a matter of fundamental fairness that we provide our disabled military retirees with the pay they have earned and rightfully deserve. I am sure it has been brought to your attention numerous times that retired Federal employees receive VA disability compensation concurrent with Federal retirement pay. Why are military retired treated differently?

That is the question—why are they treated differently?

Then there is a letter from a veteran from Mulberry, AR, who wrote:

> The purpose of VA disability compensation is to defray the effects of lost earning potential caused by injuries and sickness incurred while defending our country. Retirement pay is based wholly on the number of years of dedicated service. The two pays are entirely separate and should be mutually exclusive.

That is exactly the case. The offset that has existed is an injustice. It is unfair. We have an opportunity to rectify that this year.

I know there are thousands of veterans right now watching C–SPAN who are following this debate and are doing so with a sense of cynicism. They have seen this debate before, and they have seen the vote of the Senate before. They have seen the Senate vote to end the 110-year inequity on concurrent receipt, only to see it dissolve and disappear in the course of the conference negotiations. The House has not seen to take the step we have taken, and so there will be again the negotiations that will go on between the House and Senate.

I say to my colleagues, to the veterans of this Nation, and to our retired military, I pledge, through the conference committee that will exist, to continue to fight on this issue until the fundamental inequity that exists in current law has been eliminated, once and for all, for all of America's heroes. I am committed to full concurrent receipt and to fight for that until our veterans get what they have earned, and I urge my colleagues to fight for that as well as we go through the continuation of this process in the coming weeks. I thank the chairman. I thank Senator WARNER for this time and for the opportunity to express my strong support for the amendment that has been agreed to.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, we thank our colleague from Arkansas. He has worked long and hard on this issue for a number of years. He is a very valued member of the Armed Services Committee, particularly as it relates to personnel issues, in the area in which the Senator spent much time.

Senator, we are doing our duty. I thank the Senator.

I add a few observations of my own about this legislation. I deferred my comments so others could proceed because I was going to remain on the floor.

Mr. President, everyone at a time such as this draws on personal recollections. I had an opportunity to briefly discuss with our distinguished colleague from Delaware his own experiences in the military. I draw on my modest experience in the military to derive the support I give to this particular piece of legislation. I have said on this floor many times that I would not be in the Senate today, privileged to represent my State these 24 years now, had it not been for the opportunities accorded me by brief tours of active service and a period of some 10 years in the Reserves in the military, together with opportunities I had in the Naval Secretariat after 5 years, 4 months, during that critical period of our history when our men and women were engaged in Vietnam, as well as elsewhere in the world in the cold war.

For those brief periods I served in the closing months of World War II, as a 17-year-old sailor, really in the training command only, I have vivid memories of the streets of America, lined with men and women in uniform, coming and going to the battlefields of the Pacific and Europe, and particularly those who had returned from the battlefields showing the scars of war.

As the chairman pointed out, that particular generation of World War II are passing on today in numbers exceeding 1,000 each day of the year. This legislation, should it become law—and I am optimistic it will become law; certainly the underlying provision in the committee bill which the Presiding Officer and others worked on—will touch a few of the World War II generation.

As the years passed on and I had the opportunity to have a brief tour of duty in Korea, again, as simply a ground officer with the First Marine Air Wing, I had occasion to observe those on the field of battle and experience the losses. That is emblazoned in my memory forever.

Then in the Navy Secretariat from time to time we would go to Vietnam. We are now honored in this Chamber with a very distinguished veteran of that period as the active chairman of the committee. I visited many of those in the aid stations and otherwise who had borne the brunt of war. Therefore, it is with sheer joy that I participated with my colleagues today, just one in

the ranks, to try to get this amendment passed.

The numbers of veterans organizations which work in this is long and lengthy that I and other Members of the Senate visited with in the course of our independent work on this particular piece of legislation, as well as what we did in the committee structure. It is remarkable when you deal with those organizations. They are men and women of humility, proud they had the opportunity to wear the uniform of the Nation, and they come out of a sense of duty to try to provide for those who have gone before us on active duty and those who are on today and those who will follow in the generations to come.

As I pointed out in my colloquy with the Senator from Delaware, while my most vivid memories are associated with those who bore the brunt of combat and war, many bear the scars of arduous training. Think of how many accidents we have had associated with the training in parachutes, the training in aviation, the operation exercises. Many of our exercises, people may not recognize, are conducted under live fire conditions, by necessity, to harden those who someday may face the reality of a combat zone.

I was with the distinguished Senator from New York visiting those who came back from the battlefields in Afghanistan who had borne the brunt of combat and suffered the injuries, to visit them and thank them for their duty for this Nation and the cause of freedom. I somehow believe this is just a fulfillment of an obligation that we have had long overdue. I join those who will move every possible way we can to see that this becomes the law.

I thank so many colleagues who have taken time today to speak to this particular issue. Their motivations are pure of heart, simply to do duty. We have done it and we have now seen this opportunity. The Senate has met that opportunity, by the vote which we have witnessed and agreed to this.

AMENDMENT NO. 3900

Mr. President, earlier I offered a second-degree amendment to the Levin amendment.

Under the Levin amendment, the Secretary of Defense is required to go through a reprogramming process which, by its very nature, is indeterminate in time.

No one can predict the certainty of how quickly a measure can get through four committees. That has to be done in order for the Secretary to spend funds, to fully implement the President's Crusader budget amendment which set forth the purposes for the use of the funds.

I come back to the word ''fully.'' Had any one of those committees not—for whatever reason, even reasons unrelated to the Crusader issue—acted affirmatively on the reprogramming request, then the Secretary would not have the ability to fully expend those funds consistent with the objectives laid down in the President's budget amendment.

Also, it is a long process, the reprogramming process, and the outcome has a certain degree of uncertainty. If any committee vetoes the reprogramming, the Secretary would not be able, again, to fully implement the budget amendment. He would be able only to implement those programs contained under the future combat system; whereas, under my amendment, the Secretary has more flexibility. Thirty days after notification to the Congress, under my amendment, the Secretary can move funds to all and fully implement the objectives of the President's budget amendment.

I ask unanimous consent that the Senator from Maine, Ms. COLLINS, who is a member of the Senate Armed Services Committee, be added as a cosponsor on the concurrent receipt amendment offered by the chairman and myself, and that the consent be granted prior as if to the taking of the vote.

The PRESIDING OFFICER. Is there objection to either request? Without objection, it is so ordered.

The Senator from Georgia.

Mr. CLELAND. Mr. President, I thank Senator WARNER for his tremendous service to this country and the Nation, particularly in uniform, and the magnificent contribution he makes daily to the deliberations of the Armed Services Committee. We could not do it without him. His contributions are such that they enable the committee to do its work in a fashion which I think most of the Members of the Senate would support.

This is the 6th year that I have served on the Personnel Subcommittee of the Committee on Armed Services. I am privileged to chair this subcommittee. As I look back over the past 5 years, we have done a lot to improve the pay and benefits for our service men and women. Every year, we responded to the concerns of our service members and their families.

We heard our service members say that their pay was inadequate and not competitive with the civilian market. We responded by approving pay raises that total over 20 percent over the five years, and put into law a provision that requires pay raises at least a half percent above inflation through fiscal year 2006.

We heard the pleas of our service members that they were not fully reimbursed for off-post housing expenses. We responded by removing the requirement that members pay 15 percent of housing costs out-of-pocket and authorized an increase in the basic allowance for housing in order to reduce out-of-pocket housing expenses to zero by fiscal year 2005. We also directed the Secretary of Defense to implement a program to assist members who qualify for food stamps with a special pay of up to $500 a month.

We heard the concerns about the Redux retirement system. We responded by authorizing service members to choose between the traditional high three retirement system, or to remain under Redux with a $30,000 bonus. We also authorized our military personnel to participate with other Federal employees in the Thrift Savings Plan.

We heard concerns about health care for our active duty members and their families. We responded. We enacted provisions that improved the quality of health care and access to health care providers. We authorized TRICARE Prime Remote for families of active duty personnel assigned where military medical facilities were not available. We eliminated copayments for active duty personnel and their families when they received care under the TRICARE Prime option.

We heard the military retirees when they called our attention to the broken promise of health care for life. We started with a series of pilot programs which included access to the Federal Employees Health Benefit Program, a TRICARE senior supplement, and Medicare subvention. Ultimately, we found an even better answer, TRICARE for Life. Under this program, TRICARE pay virtually everything the Medicare does not pay. This is the best health care program for Medicare eligibles in the United States. We are really proud of this program.

We responded to concerns of our absentee military voters by passing laws making it easier for military personnel and their families to vote in Federal, state, and local elections.

By the way, Mr. President, in that TRICARE for Life Program we included a program that I think is extremely valuable for military retirees, the U.S. Government is picking up the cost of the biggest out-of-pocket expense for our military retiree families, and that is the cost of prescription drugs. I just wish we could do that for every senior family in America.

For our military recruiting and retention ebbed and flowed during this 5-year period. We responded by authorizing special pays and bonuses as well as innovative recruiting initiatives. We also passed laws that will require high schools to give our military recruiters access to students directory information and the same access to students as the schools give to colleges and potential employers.

I know that we recruit individuals and retain families. Both recruiting and retention are improving. Just a few years ago, the services reported great challenges in meeting recruiting goals, and service members were leaving at alarming rates. I would like to think that the improvements in benefits that I just described helped to turn our recruiting and retention around. I understand that the downturn in the economy and the terrorist attacks on our Nation also contributed to the increase in the desire to serve our nation.

This year, like the last five years, we have attempted to respond to the needs

of our service members and their families. In the bill now before the Senate we do several things.

We recommend authorization of the active duty end strength requested by the administration. This includes an increase in end strength of 2,400 for the Marines. I am convinced that the other services need an increase in end strength as well. We simply cannot continue to increase our military commitments without increasing the end strength of our Armed Forces. They are already stretched too thin. I intend to offer an amendment to increase the end strength of the Army, Navy, and Air Force for next year, and will propose a plan to address the needs of the services over the next 5 years.

We cannot fight a war on the cheap and we cannot fight a war without people.

For the fourth year in a row, we propose a significant pay raise above the rate of inflation for military personnel. We recommend an across the board pay raise of 4.1 percent which is a half percent above the increase in the Employment Cost Index, and an additional targeted pay raise for certain experienced mid-career personnel that will result in pay raises ranging from 5.5 percent to 6.5 percent beginning in January, 2003. We also extend the special pays and bonuses that are so important for recruiting and retention.

Full time manning support is one of the top readiness issues of the Reserves. All of our TAGs have talked to us about the shortage in full time support in the Army Reserve and the Army National Guard. For the second year in a row, the Administration failed to budget for the ramp up contained in an agreed upon plan to bring full time manning in the Army Reserve and the Army National Guard up to minimal levels over an 11-year period. We address this shortfall by increasing the full time manning end strength by 1,761 personnel as the second installment of the 11-year plan.

We authorize the service secretaries to pay an incentive pay of up to $1,500 per month to members serving in certain difficult to fill assignments. We encourage the Department to use this assignment incentive pay to address some of the concerns about military personnel serving tours in Korea.

We are finally able to authorize concurrent receipt of military retired pay and veterans' disability compensation for retirees with 20 or more years of military service with disabilities rated at 60 percent or more.

I understand the figure is now zero percent disabling and above. This is an incredibly high watermark in terms of service of this body to those who have served, and particularly those who are service-connected disabled and who also are military retirees with 20 or more years of service.

I understand that our posture here is, even though the Armed Services Committee reported out legislation that this Defense authorization bill grant current receipt of disability compensation and military retirement—receipt concurrent for those who are 60-percent disabled or more—that this body by unanimous consent has agreed to actually lower that figure so that all of our military retirees with 20 years of active duty service or more, zero percent disabled or greater, will now be able to receive disability compensation and military retirement at the same time. I think that is only just.

We have our assistant majority leader, Senator HARRY REID, to thank for that. He has been pushing for this for many years.

Our proposal will phase in this effort. But with this Defense authorization bill today we will not be phasing it in; it will be reality, in the Senate's point of view.

This provision was carefully drafted, in consultation with veteran organizations and with members of the committee.

We authorize a National Call to Service provision initiated by Senator MCCAIN that would require individuals enlisting in the military under this program to serve on active duty for 15 months after the completion of initial entry training. That would encourage our citizens to participate in military training somewhat. It is not universal military training, but it is an incentive to become familiar with the military. And I think it is an excellent proposal by Senator MCCAIN and Senator BAYH. It is called National Call to Service.

If an individual comes on active duty, train, and then serve 15 months, what do they receive in addition to that for compensation?

They could elect one of the following incentives: No. 1, a $5,000 bonus; No. 2, a student loan repayment of up to $18,000, which is quite significant; No. 3, a 12-month educational allowance at the Montgomery GI bill rate; or, No. 4, a 36-month educational allowance at two-thirds of the Montgomery GI bill rate.

I think this is one of the most insightful programs to come along in a long time. I heartily endorse it.

We increase the maximum end strength for each of the military academies from 4,000 to 4,400 cadets or midshipmen.

I think this is an excellent provision and one that we need.

We provide $55 million to address the severe aviation training backlog in the Army to train pilots from Guard and Reserve units transitioning to new aircraft and to train active duty pilots in their combat aircraft before reporting to their units.

We direct the Secretary of Defense to review personnel compensation laws and policies applicable to our Reserve components, including the retirement system to determine how well they address the demands placed on the Guard and Reserve personnel.

I thank my colleagues on the Armed Services Committee and the Personnel Subcommittee for their support.

I especially thank Senator HUTCHINSON for his support and work. His hard work has made this a truly bipartisan effort on behalf of our military men and women and their families. I appreciate all that he has done and what he has contributed.

The bill we bring before the Senate today is a good bill that will go a long way toward improving the lives of our servicemembers and their families. I strongly urge my colleagues in the Senate to pass this significant legislation.

Thank you, Mr. President. I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FEINGOLD). Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I ask permission to address the Senate.

The PRESIDING OFFICER. The Senator is recognized.

Mr. NELSON of Florida. Mr. President, it is a great privilege for me to serve on the Armed Services Committee with the distinguished Senator from Georgia, who, as head of the Personnel Subcommittee, has just laid out all of the strengths of this particular piece of legislation with regard to the personnel of our Armed Services.

We all can be so proud of our men and women in uniform. I have been to Afghanistan twice since the first of the year—the first congressional delegation to go into Afghanistan after September 11. In fact, they would not even take us in in the daylight. We went in under cover of darkness, lights out, no runway lights, all landing with night vision equipment because of the security for nine Senators on that trip.

What I encountered was not only the harsh reality of the climate—that bitter cold—but our first instructions were, when getting off the airplane: Don't dare step off the tarmac. The sergeant who escorted me through the darkness, in fact, explained that, having to traverse the trail over 30 times, his buddy was the unlucky one and had his foot blown off.

Seeing the faces of those young men and women—then, that first week of January, and 2½ months later—I saw how resolute they were, how they had tasted military success, how they knew that their cause was just, and how they were absolutely resolved in winning because the stakes are so high for our country and for the rest of the free world.

I have come to the floor to speak on this legislation because I am constantly inspired by my colleague from Georgia, the very life that he lives daily, which is an inspiration to this Senator, as are the sacrifices he made

for his country as a young man, which has led him to a style of living that all of us cannot imagine and yet he accommodates and he overcomes every day. That is a great inspiration to all of us.

So is it any wonder I am loving my time in the Senate, when I have colleagues I can look up to, such as the senior Senator from Georgia, joined by this wonderful committee that is quite bipartisan in its approach to these legislative matters. It is a great privilege for me to come and speak about him personally, and to come and speak and lend my name in support of this legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CLELAND. Mr. President, I am floored by the wonderful and gracious remarks of the Senator from Florida, my dear friend, Mr. NELSON, my colleague on the Armed Services Committee, my colleague on the Commerce Committee. He is most effusive in his praise of me. But he is absolutely correct when he praises the service of our young men and women in harm's way.

There is a marvelous book out now, ''We Were Soldiers Once and Young.'' I was a soldier once and young, and I can only look with admiration, great respect, and tremendous heartfelt pride at the young men and women out there now. The service men and women are young, they are talented, they are trained, they are committed, and they are doing a great job for the United States.

If this bill is a tribute to anything, it is not a tribute to me or to anybody on the Armed Services Committee or even to this Senate, but it is a tribute to them and their hard work on behalf of all of us.

So I thank the Senator from Florida for his effusive praise, but let's just reserve those kinds of words for another day. Today, we are talking about dealing with the needs of our service men and women who make it possible for us to have this open and free debate here.

I yield the floor.

Mr. JOHNSON. Mr. President, I rise in strong support for the Levin/Warner amendment No. 3912.

I am pleased the Senate is addressing the issue of concurrent receipt of military retirement benefits. Under current law, military retirees cannot receive both full military retirement pay and full VA disability compensation. Instead, retirement payments are reduced by the amount received in disability compensation. Changing the law to allow for concurrent receipt of benefits is an issue of basic fairness because both military retirement pay and VA disability compensation are earned benefits. Retirement pay comes after at least twenty years of dedicated service in the Armed Forces and VA disability is earned as a result of injury during time of service.

I have been working with South Dakota veterans and my colleagues in the Senate for several years to fix this problem. Last year, the Senate adopted an amendment to both the fiscal year 2002 budget resolution and to the fiscal year 2002 Defense authorization bill to include funding to correct this problem. Unfortunately, despite strong support in the Senate, the language to allow concurrent receipt was removed from last year's budget resolution during the conference with the House of Representatives. In the defense authorization bill, Congress agreed to allow concurrent receipt, but only if the administration included authorizing legislation as a part of the fiscal year 2003 budget request. I was very disappointed to discover that the President's fiscal year 2003 budget request did not include provisions for concurrent receipt.

Although I am pleased the Senate is going to take care of our military retirees with the passage of this amendment, I remain concerned about the Bush administration's continued opposition to concurrent receipt. Just recently, the Bush administration released a statement criticizing the concurrent receipt provision contained in the fiscal year 2003 Defense authorization bill. I have sent a letter to the Director of the Office of Management and Budget asking him to reconsider the Bush administration's position. Simply state, at a time in which we are asking more and more from the men and women serving in the military, we should be looking for ways to encourage them to make a career in the military by improving benefits and assuring them they will be taken care of in retirement.

I appreciate the Senate Armed Services Committee's leadership on this issue, and look forward to continuing to work with my colleagues on behalf of our Nation's veterans.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. NELSON of Florida). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3915

Mr. FEINGOLD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD] proposes an amendment numbered 3915.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To extend for 2 years procedures to maintain fiscal accountability and responsibility)

At the appropriate place in the bill, insert the following:

SEC. . BUDGET ENFORCEMENT.

(a) EXTENSION OF BUDGET ENFORCEMENT POINTS OF ORDER.—Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(1) in subsection (c)(2)—

(A) by inserting ''and'' before ''312(b)'' and by striking '', and 312(c)''; and

(B) by striking ''258C(a)(5)''; and (2) in subsection (d)(3)—

(A) by inserting ''and'' before ''312(b)'' and by striking '', and 312(c)''; and

(B) by striking ''258C(a)(5)''; and

(3) in subsection (e), by striking ''2002'' and inserting ''2007''.

(b) EXTENSION OF BUDGET ENFORCEMENT ACT PROVISIONS.—

(1) IN GENERAL.—Section 275(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 note) is amended to read as follows:

''(b) EXPIRATION.—Sections 251 and 258B of this Act and sections 1105(f) and 1106(c) of title 31, United States Code, shall expire September 30, 2007. The remaining sections of part C of this title shall expire on September 30, 2011.''.

(2) STRIKING EXPIRED PROVISIONS.—

(A) BBA.—The Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) is amended by striking section 253.

(B) CONGRESSIONAL BUDGET ACT.—The Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) is amended—

(i) in section 312, by striking subsection (c); and

(ii) in section 314—

(I) in subsection (b), by striking paragraphs (2) through (5) and redesignating paragraph (6) as paragraph (2); and

(II) by striking subsection (e).

(c) EXTENSION OF DISCRETIONARY CAPS.—

(1) IN GENERAL.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended—

(A) in the matter before subparagraph (A), by striking ''2002'' and inserting ''2007'';

(B) by striking subparagraphs (C), (D), (E), and (F); and

(C) by redesignating subparagraph (G) as subparagraph (C).

(2) CAPS.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended by striking paragraphs (7) and (8) and inserting the following:

''(7) with respect to fiscal year 2003—

''(A) for the discretionary category: $764,722,000,000 in new budget authority and $756,268,000,000 in outlays;

''(B) for the highway category: $28,922,000,000 in outlays;

''(C) for the mass transit category: $1,445,000,000 in new budget authority and $6,030,000,000 in outlays; and

''(D) for the conservation spending category: $1,922,000,000 in new budget authority and $1,872,000,000 in outlays;

''(8)(A) with respect to fiscal year 2004 for the discretionary category: $784,425,000,000 in new budget authority and $814,447,000,000 in outlays; and

''(B) with respect to fiscal year 2004 for the conservation spending category: $2,080,000,000, in new budget authority and $2,032,000,000 in outlays;''.

(3) REPORTS.—Subsections (c)(2) and (f)(2) of section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 904) are amended by striking ''2002'' and inserting ''2007''.

(d) EXTENSION OF PAY-AS-YOU-GO.—

(1) ENFORCEMENT.—Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902) is amended—

(A) in subsection (a), by striking ''2002'' and inserting ''2007''; and

(B) in subsection (b), by striking ''2002'' and inserting ''2007''.

(2) PAY-AS-YOU-GO RULE IN THE SENATE.—

(A) IN GENERAL.—Section 207 of House Concurrent Resolution 68 (106th Congress) is amended in subsection (g), by striking ''2002'' and inserting ''2007''.

(B) SENATE PAY-AS-YOU-GO ADJUSTMENT.—For purposes of Senate enforcement of section 207 of House Concurrent Resolution 68 (106th Congress), upon the enactment of this Act, the Chairman of the Committee on the Budget of the Senate shall adjust balances of direct spending and receipts for all fiscal years to zero.

(3) PAY-AS-YOU-GO ENFORCEMENT DURING ON-BUDGET SURPLUS.—If, prior to September 30, 2007, the Final Monthly Treasury Statement for any of fiscal years 2002 through 2006 reports an on-budget surplus, section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902) shall expire at the end of the subsequent fiscal year, and the President, in the next budget, shall submit to Congress a recommendation for pay-as-you-go enforcement procedures that the President believes are appropriate when there is an on-budget surplus.

(e) SENATE APPROPRIATIONS COMMITTEE ALLOCATIONS.—Upon the enactment of this Act, the Chairman of the Committee on the Budget of the Senate shall file allocations to the Committee on Appropriations of the Senate consistent with this Act pursuant to section 302(a) of the Congressional Budget Act of 1974.

AMENDMENT NO. 3916 TO AMENDMENT NO. 3915

Mr. REID. Mr. President, I send an amendment to the desk on behalf of Mr. CONRAD and Mr. FEINGOLD.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. CONRAD, proposes an amendment numbered 3916 to amendment No. 3915.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To extend for 2 years procedures to maintain fiscal accountability and responsibility)

Strike all after the first word in the amendment, and insert the following:

BUDGET ENFORCEMENT.

(a) EXTENSION OF BUDGET ENFORCEMENT POINTS OF ORDER.—Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(1) in subsection (c)(2)—

(A) by inserting ''and'' before ''312(b)'' and by striking '', and 312(c)''; and

(B) by striking ''258C(a)(5)''; and

(2) in subsection (d)(3)—

(A) by inserting ''and'' before ''312(b)'' and by striking '', and 312(c)''; and

(B) by striking ''258C(a)(5)''; and

(3) in subsection (e), by striking ''2002'' and inserting ''2007''.

(b) EXTENSION OF BUDGET ENFORCEMENT ACT PROVISIONS.—

(1) IN GENERAL.—Section 275(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 note) is amended to read as follows:

''(b) EXPIRATION.—Sections 251 and 258B of this Act and sections 1105(f) and 1106(c) of title 31, United States Code, shall expire September 30, 2007. The remaining sections of part C of this title shall expire on September 30, 2011.''.

(2) STRIKING EXPIRED PROVISIONS.—

(A) BBA.—The Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) is amended by striking section 253.

(B) CONGRESSIONAL BUDGET ACT.—The Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) is amended—

(i) in section 312, by striking subsection (c); and

(ii) in section 314—

(I) in subsection (b), by striking paragraphs (2) through (5) and redesignating paragraph (6) as paragraph (2); and

(II) by striking subsection (e).

(c) EXTENSION OF DISCRETIONARY CAPS.—

(1) IN GENERAL.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended—

(A) in the matter before subparagraph (A), by striking ''2002'' and inserting ''2007'';

(B) by striking subparagraphs (C), (D), (E), and (F); and

(C) by redesignating subparagraph (G) as subparagraph (C).

(2) CAPS.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended by striking paragraphs (7) and (8) and inserting the following:

''(7) with respect to fiscal year 2003—

''(A) for the discretionary category: $764,722,000,000 in new budget authority and $756,268,000,000 in outlays;

''(B) for the highway category: $28,922,000,000 in outlays;

''(C) for the mass transit category: $1,445,000,000 in new budget authority and $6,030,000,000 in outlays; and

''(D) for the conservation spending category: $1,922,000,000 in new budget authority and $1,872,000,000 in outlays;

''(8)(A) with respect to fiscal year 2004 for the discretionary category: $784,425,000,000 in new budget authority and $814,447,000,000 in outlays; and

''(B) with respect to fiscal year 2004 for the conservation spending category: $2,080,000,000, in new budget authority and $2,032,000,000 in outlays;''.

(3) REPORTS.—Subsections (c)(2) and (f)(2) of section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 904) are amended by striking ''2002'' and inserting ''2007''.

(d) EXTENSION OF PAY-AS-YOU-GO.—

(1) ENFORCEMENT.—Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902) is amended—

(A) in subsection (a), by striking ''2002'' and inserting ''2007''; and

(B) in subsection (b), by striking ''2002'' and inserting ''2007''.

(2) PAY-AS-YOU-GO RULE IN THE SENATE.—

(A) IN GENERAL.—Section 207 of House Concurrent Resolution 68 (106th Congress) is amended in subsection (g), by striking ''2002'' and inserting ''2007''.

(B) SENATE PAY-AS-YOU-GO ADJUSTMENT.—For purposes of Senate enforcement of section 207 of House Concurrent Resolution 68 (106th Congress), upon the enactment of this Act, the Chairman of the Committee on the Budget of the Senate shall adjust balances of direct spending and receipts for all fiscal years to zero.

(3) PAY-AS-YOU-GO ENFORCEMENT DURING ON-BUDGET SURPLUS.—If, prior to September 30, 2007, the final Monthly Treasury Statement for any of fiscal years 2002 through 2006 reports an on-budget surplus, section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902) shall expire at the end of the subsequent fiscal year, and the President, in the next budget, shall submit to Congress a recommendation for pay-as-you-go enforcement procedures that the President believes are appropriate when there is an on-budget surplus.

(e) SENATE APPROPRIATIONS COMMITTEE ALLOCATIONS.—Upon the enactment of this Act, the Chairman of the Committee on the Budget of the Senate shall file allocations to the Committee on Appropriations of the Senate consistent with this Act pursuant to section 302(a) of the Congressional Budget Act of 1974.

(f) EFFECTIVE DATE.—The provisions of this section shall take effect 15 days after the enactment of this Act.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, the Senate began its debate on budget discipline on the supplemental appropriations bill, but we left our work undone. Today, we are here to finish the job.

On the supplemental appropriations bill, the Senate debated a 5-year budget process extension that my colleague, Senator GREGG, and I offered. Regrettably, that amendment failed on a tie vote. The Senate also began to debate an amendment by Chairman CONRAD that would have extended some of the budget process for a more limited time. That amendment fell on a point of order.

We are left, therefore, with a budget process that expires on September 30 of this year, less than 3½ months from now. Unless we act before then, the process will fail to constrain the government from deficit spending. And unless we act, the process will fail to protect the Social Security trust funds from being used to fund other government spending.

Thus, Senator CONRAD and I have come to the floor with a compromise proposal. Our amendment would extend exactly the same budget processes that Chairman CONRAD's amendment would have, in exactly the same way. So the Senate will have no reason to dispute the way in which our amendment enforces budget discipline.

But our amendment would also do something that Chairman CONRD's amendment would not have done. The amendment that Chairman CONRAD offered on the supplemental appropriations bill had no caps on appropriated spending. Now we understand that Chairman CONRAD and Senator DOMENICI intended to offer an amendment that would create enforcement for 1 year, this year, pretty much as a budget resolution would, but were unable to offer that amendment.

But just 1 year of constraint on appropriated spending means absolutely no restraint on next year's budget resolution. At a minimum, we ought to put some constraint on how much spending we can put into next year's budget. If we do not put any constraint on the coming year's budget resolution, then we are not doing what we need to do to rein in the deficit and protect Social Security.

And that's what our amendment would do. We would do everything that the Conrad amendment would do, exactly as the Conrad amendment would do it. But then our amendment would have 2 years of caps on appropriations, instead of just 1. We would require next

year's budget resolution to live by a cap, as well.

Now, for the first year, the numbers we use for our amendment are, as best as we can determine, what Chairman CONRAD and Senator DOMENICI would have offered had they had the chance on the supplemental appropriations bill. We have simply followed the numbers that Senator DOMENICI distributed at that time. They are pretty much the same as the budget resolution numbers that we proposed in our earlier amendment, except that an adjustment is made to smooth out fluctuations in the highway trust fund.

For the second year, we continue to use the numbers in the budget resolution reported by the Budget Committee on March 22. We have sought to employ the most neutral numbers that we can find.

We have sought, therefore, to focus the debate on a single issue: Shall we have budget constraint for next year's budget resolution, or will we have no constraint at all?

In March, the Congressional Budget Office projected that, with the President's budget levels, we are headed for a deficit of $121 billion in 2003 and a deficit just a few billion dollars short of $300 billion, if you don't count the Social Security surplus.

And for this fiscal year, 2002, just last Friday, CBO issued a report saying:

> The total budget deficit for the first eight months of fiscal year 2002 was $149 billion . . . a sharp reversal from the $137 billion surplus recorded for the same period in 2001. So far this year, receipts are more than $80 billion below CBO's baseline projections, and CBO now expects the deficit for the entire fiscal year to end up well above $100 billion.

And in Saturday's papers, CBO Director Dan Crippen was quoted saying that the unified budget deficit for 2002 could reach $150 billion.

Once again, the government is using the Social Security surplus to fund other parts of government. That is something that many Senators from both parties fought for most all of the 1990s. It is something that we should continue to fight.

This is a critical test for us. Are we serious about protecting Social Security, even in these difficult times? Especially after 9–11, the American people have a right to know that we are being especially careful with their dollars, that we can keep track of them, and that we are truly putting our priorities straight—with the war on terrorism at the top, but also guaranteeing the safety and security of Social Security.

This is a modest budget process proposal, Mr. President. It is the least that we should do, and I urge my colleagues to join us in this effort. Let us extend the budget process for at least 2 years, and do what we can to protect Social Security.

Mr. President, I also ask unanimous consent that the Senator from Washington, Ms. CANTWELL, be added as a sponsor of the pending first- and second-degree amendments.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). Without objection, it is so ordered.

Mr. FEINGOLD. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Mr. President, I want to stand and commend my colleague, Senator FEINGOLD, for his initiative with respect to the budget circumstance facing the country and the Congress. Senator FEINGOLD has crafted an amendment that represents a compromise on the question of the budget for this year. It is critically important that we adopt a budget for this year, and it is also important that we have the budget disciplines extended.

I hope my colleagues realize what we face. In the absence of an extension of the budget disciplines, the budget points of order, the pay-go provisions all expire on September 30. That would mean the things we have used to control spending and to exercise fiscal discipline are gone. They are gone. That means that as we go through the appropriations process, we would not have the allocations to the committees that are enforced by 60-vote points of order to prevent spending from going out of control. We would not have those same 60-vote points of order to protect against additional tax reductions that would threaten the fiscal condition of the country. And we would not have the provisions that allow us to protect Social Security. All of those provisions expire at the end of September.

Mr. President, that is what Senator FEINGOLD is before us offering now—an extension of those provisions, an extension that has been worked out with very detailed, bipartisan discussions over an extended period of time.

Senator FEINGOLD has played a very constructive role in that regard. He did not end there with the amendment that he is offering. He also has offered budget caps for this year and next year. My judgment is that we ought to adopt spending caps for this year and next year, and they ought to be at levels that are realistic so they can really be enforced. What we have learned in the past is if you set unrealistic spending caps, they are then broken with impunity and we wind up spending much more money, digging the deficit hole deeper.

Let me just emphasize that the spending number that Senator FEINGOLD has set out in this amendment is exactly the same number that the President of the United States sent us for the budget for this year. The number he has included for next year as a spending cap takes that amount and increases it by something over 3 percent. That is the number that was in the report of the Senate Budget Committee to our colleagues in the full Chamber. Those are responsible numbers. They allow and accommodate the very large increases in spending asked for by the President for defense and homeland security. All the rest of the spending would actually be reduced from the so-called baseline.

Now, that is a responsible budget outline. It accommodates fully the President's request for increases for defense and homeland security, if that is the wish of the Senate and the wish of the House. But it provides a budget discipline that is going to be badly needed here if we are to recover because the harsh reality that we confront is that last year when we were told there were going to be nearly $6 trillion of surpluses over the next 10 years, all of that money is gone; there are no surpluses. In fact, our reestimates indicate that instead of surpluses, we face some $600 billion of budget deficits over the next decade.

Mr. President, it is more serious than that. It is really far more serious than that because those numbers lump together the trust funds and the other funds of the Federal Government. If one takes out the trust funds, if one takes out, for example, the Social Security trust fund, what one sees is an ocean of red ink over the next decade—hundreds of billions of dollars of nontrust fund deficits this year and next year and all of the years to the end of the decade. Instead of a $160 billion budget deficit this year, if one segregates the Social Security trust fund, if one protects the Social Security trust fund, it will be $320 billion.

Next year, the budget deficit, instead of being $200 billion, will be $370 billion. That is the depths and the dimensions of the fiscal deterioration that has occurred in just 1 year.

These are not just numbers on a page. These are numbers that reflect a larger reality with enormous economic implications for this country. I hope our colleagues are listening. I hope our colleagues are thinking very carefully about the path we have embarked on, where this is all headed, because I want to warn our colleagues that none of this adds up. It does not come close to adding up. It is critically important that we adopt an extension of the budget disciplines that will help keep this from further exploding out of control.

It is absolutely critical that we agree to a budget for this year and, as Senator FEINGOLD has offered, a budget for next year as well, with enforceable caps, with provisions that will allow this Chamber to discipline spending and revenue and, yes, protect Social Security. Absent these disciplines, absent a budget, I believe we are headed for a very difficult ending to this session.

Mr. REID. Will the Senator yield for a question?

Mr. CONRAD. I am happy to yield.

Mr. REID. I say to the Senator from North Dakota—and I also applaud, as

he did, the Senator from Wisconsin for offering this amendment—without the budget talk that people outside this Chamber perhaps don't understand, is it correct that the Senator from Wisconsin and the Senator from North Dakota are saying that what the Senate needs is a budget so that we can keep spending down to certain limits as to what the 13 subcommittees can appropriate, so that there will be, as there have been for many years, some discipline in what we do with spending? Does this amendment do anything more than what I just described?

Mr. CONRAD. No. I think the Senator stated it well. This provides, No. 1, a budget for this year and a budget for next year and caps spending at those amounts. The number for this year is the number the President sent us, $768 billion. It is not the same policy the President sent us, but it is the same total amount of spending that the President sent us. In addition to that, there are the various budget disciplines that expire at the end of September that Senator FEINGOLD is extending in his amendment.

I might say, I know Senator FEINGOLD worked this out on a bipartisan basis. There were other Senators on the other side of the aisle who were involved with negotiating this amendment. I can tell you there have been many discussions with Members on both sides with respect to the number and with respect to a continuation of the budget disciplines. This was not something that was done in a partisan way or just on one side of the aisle. This is the result of lengthy discussions over an extended period of time with Senators on both sides.

Mr. REID. Can I ask the Senator another question?

Mr. CONRAD. Certainly.

Mr. REID. Why would someone not want this Congress to have budget discipline? Why would someone want freewheeling spending, spend anything you can; why would someone want that?

Mr. CONRAD. There are a number of reasons that are possible for somebody to be in opposition to a continuation of the budget disciplines. One would be they want to spend more money. Another possibility is they want more tax cuts that are not paid for. Both of those are possibilities. A third possibility, with respect to the budget disciplines, is that they have another idea for budget discipline. I suppose that is a possibility.

With respect to the actual number, they might disagree. They might say they want less spending or they want more spending, but I say to my colleagues, whatever their disposition is with respect to that, let's vote. Let's decide. Let's move this process forward, but let's do it in a way that is timely. Let's get a budget in place before the appropriations process starts. Let's do that. We have an opportunity to do that now. Let's get those budget disciplines extended before we start the appropriations process; otherwise, we are courting chaos.

Mr. REID. Can I ask one additional question? It is my understanding, having spoken with the Senator from North Dakota and the Senator from Wisconsin, that both Senators would agree to a limited time that this matter would be debated. This is not something on which the two Senators are wanting extended debate. The Senator from North Dakota would agree to a reasonable period of time and have a vote; is that right?

Mr. CONRAD. I certainly would, but I think, in fairness, the question should be directed at my colleague. He is the author of this amendment. I would certainly be willing to do whatever the Senator from Wisconsin is willing to do. I would certainly accept a reasonable time limit.

Mr. REID. I have already spoken with my friend from Wisconsin, and I know he is not concerned about an extended debate. He gave a brief statement, as we heard it in the last few minutes. I hope, I say to all of my colleagues, we can set a reasonable period of time tomorrow. I know we are not going to be able to work much later tonight, but that we would set a time for some reasonable debate and move forward. I hope we can do that.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I thank the Chair.

Mr. President, first, I say to the Senator from Nevada, I certainly think limited debate time will be acceptable. This is similar to the approach we tried to bring up on similar proposals on other bills. Members of the Senate understand this.

The reason I rise at this point is to thank the Senator from North Dakota for his kind words, but also in many ways the Senator from North Dakota is sort of my mentor on these issues of the budget. Before I came here, I watched him focus on balancing the budget in a sincere way, taking political risk with relation to it.

In the 10 years I have been here, many of them on the Budget Committee, time and again I have seen his proposals, his genuine attempts to either get us to a balanced budget as fast as possible or to figure out some way to make absolutely sure that we do not borrow from Social Security, which is something he and I both abhor.

That is exactly what this is about. Yes, it sometimes sounds like technical budget talk, but it really is whether or not there is going to be an open bank account for Congress to take money out of Social Security—that is what it is about—without any rules, without any caps, without any discipline. That is what we are discussing. Sure, it comes out in the form of a lot of documents and a lot of papers and a lot of numbers, but what it is about is whether or not Members of this body are truly committed to stopping the practice of borrowing from Social Security and getting us back to a balanced budget as fast as possible.

The Senator from North Dakota and I spent just about every day for many years trying to get us to the point where we were not borrowing from Social Security. A lot of people thought that could not happen, but we made it, working together with our colleagues, often both parties and under President Clinton. We made it. We were there for a while.

The only way we can get there again is by finding a way to extend these budget caps and keep these budget rules in place because, without them, I really do fear many of the alternatives Senator CONRAD mentioned will come to the fore, and the result will be a huge hole.

There is already a significant hole being developed, a significant deficit that actually reminds me of the kinds of numbers I first saw when I came here. I ran on this issue of whether we can balance the budget, and the deficits we are starting to look at for a 1-year period are beginning to resemble the deficits I was complaining about when I first had the chance to run for the Senate and challenge what was going on in Washington in the 1980s.

I thank the Senator. I am pleased we could come together in this amendment. It is not everything I would want ideally, but it is a significant step in the right direction, and it will provide some discipline, not only in this fiscal year that is coming up but in the following fiscal year. I thank him very much for his cosponsorship of this amendment.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, before the Senator from Wisconsin and the Senator from North Dakota leave the floor, when we look at these staggering numbers, we had a surplus last year at this time of close to $4.7 trillion. It is gone now.

We had staggering numbers in 1986, as an example, when Senator CONRAD and I were first elected to this body. The Senator from North Dakota ran on the platform that he thought something should be done about these deficits, and unless something was done, he would not run again, and he followed through on that. It was politically a very courageous thing to do. As fate would have it, things worked out that he could come back.

We have been able to manage these staggering yearly deficits. We have had surpluses in recent years, so it is not as if we are asking for the impossible, but we need discipline to do it. We will not have discipline without this budget resolution.

It is unfortunate, as we have heard said so many different times, that these tax cuts have put us in a real quandary: $4.7 trillion, 50 percent of it is the tax cut; 25 percent of it, approximately, is the war; the rest of it is other economic issues and other policies of this administration. We are in deep trouble economically.

I do not know why anyone would oppose what is being attempted by the author of this amendment and the author of the second-degree amendment.

This is something that needs to be done for the good of the country. If there were ever anything that was for the security of our Nation, it is getting the financial house back in order. It is not back in order, and it will go downhill if we do not do something to cause us to have budget discipline.

I am not going to prolong the debate tonight other than to say I am grateful—the people of Nevada are grateful—for the work done by these two Senators.

I hope we will be joined by people of good will on the other side to see if we can come up with a resolution. There is no question that this started out as a bipartisan amendment. I am disappointed it is not offered on a bipartisan basis tonight. But the two Senators have spoken. They have the spirit of bipartisanship. There is nothing partisan at all about this amendment. I hope we can move forward on it and complete it tomorrow.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I rise to thank my colleague from Wisconsin for his initiative. I was not involved in the development of this amendment. The Senator from Wisconsin negotiated this amendment with one of our colleagues on the other side of the aisle. They produced this amendment. They believed this was a way to advance a return to fiscal discipline. They believed putting caps on spending for this year and next and restoring the budget discipline was a critical first step.

This is not the budget resolution I passed through the committee. It has similar elements, but it has additional budget discipline, an entire additional year of spending caps. I believe this is critically important to our fiscal future.

I think the amendment that was negotiated by Senator FEINGOLD and one of our colleagues on the other side of the aisle represents the best chance we have this year of moving this country back towards fiscal balance. This will not solve the problem. It will prevent the problem from getting worse, and it will move us in the direction of restoring fiscal discipline. It is a critical first step.

My own judgment is, next year, when hopefully the economy is on stronger ground, we will put in place a multiyear plan to balance the budget without using Social Security funds. That is going to take a multiyear effort. The hole has been dug so deep as a result of the tax cut, which is the biggest culprit, combined with the economic slowdown, combined with the attack on the country, combined with underestimations of the cost of Medicare and Medicaid. All of those elements have cooked this stew. Unless we respond, our country is going to get in deeper trouble.

Last week, we had to pass a massive increase in the indebtedness of the United States. The President is asking for the second biggest increase in the indebtedness of our country in the history of the United States. That is how serious the situation is. I hope our colleagues will join with an effort to get us back on track.

Mr. KENNEDY. Mr. President, as the Senate considers the Defense authorization bill, we all know that this legislation is extremely important for our country. Around the world, the members of our armed forces are engaged in an ongoing and all-important battle against terrorism.

Our men and women in uniform are serving with great skill and courage in defense of our freedom. They endure long hours and hazardous, life-threatening challenges. They do so with awe-inspiring spirit and determination that has made us all proud and that keeps our country free.

I know I speak for all of us when I express our vast appreciation and respect for these courageous men and women. It is an essential priority for all of us in Congress to ensure that they have the resources needed to carry out their missions. Recruiting, training, and equipping the best possible force is the cornerstone of our Nation's military strength and superiority.

The Armed Service Committee has produced a strong and effective bill to see that our military is well-prepared to face the challenges of the 21st century. The funds authorized for fiscal year 2003 demonstrate our strong commitment to the Nation's defense. The U.S. military is the most capable fighting force in the world and this bill is well designed to maintain that strength.

This legislation also builds on the steps we have taken in recent years to improve the quality of life of our armed forces. The 4.1 percent pay increase is the fourth consecutive year that the committee has authorized a significant pay raise above the rate of inflation.

The bill also maintains support for reducing out-of-pocket housing expenses from 11.3 percent to 7.5 percent, with the goal of reducing them to zero by fiscal year 2005. Additionally, the bill adds $640 million above the President's budget request for military construction.

In recent years improvements in TRICARE and prescription drug benefits have dramatically improved the quality of life for service members, retirees, and their families. This bill also addresses the quality of life issue by providing $35 million to public school systems that serve large numbers of military children and children with severe disabilities.

The bill also directs the Secretary of Defense to conduct a quadrennial review of the quality of life of our service members. For many years, we have emphasized a quadrennial review of our defense strategy. Under Personnel Subcommittee chairman MAX CLELAND's leadership, we have now recognized that the morale and well-being of our service members is vital to an effective national defense.

As chairman of the Seapower Subcommittee, I have consistently advocated a strong Navy-Marine Corps team as a major part of the Nation's defense. This bill supports the President's budget request for shipbuilding. We have also worked hard in the committee to provide additional funds for advanced procurement of *Virginia* Class attack submarines, *Arleigh Burke* Class destroyers (DDG–51) and *San Antonio* Class amphibious transport dock ships (LPD–17). These funds do not buy additional ships, but they will contribute to solving the shipbuilding shortfall that is a great concern to our committee.

The committee has resisted efforts to fund additional ships through reductions in the Operations and Maintenance accounts. The Army, Navy, Air Force, and Marines need these funds to carry out their day-to-day operations, maintenance and training.

Instead, the committee rightly focused on providing modest increases to the shipbuilding accounts from the missile defense fund. After reviewing the administration's proposal, we found that a small reduction in this fund is justified. We believe this proposal is the best way to sustain the readiness of our armed forces to conduct their full range of operations and missions.

The bill also improves the ability of the armed forces to meet non-traditional threats, including terrorism and weapons of mass destruction. Overall, $10 billion is provided for combating terrorism. Significantly, the bill authorizes the Secretary of Defense to expand the Cooperative Threat Reduction program beyond the countries of the former Soviet Union.

A major priority in our defense strategy continues to be the ability to deter a potential adversary. If deterrence ultimately fails, we must be prepared to fight and win future conflicts. The $300 million added by the committee to the science and technology budget brings the Department of Defense closer to the goal of devoting 3 percent of all defense funds to the cutting edge technology that can bring us new systems and more effective deterrence.

Key discussions by the Department of Defense and Congress on past defense budgets contributed significantly to the outstanding performance of our armed forces in Operation Enduring Freedom. Now more than ever, we must think creatively about the future and do all we can to enhance our readiness and our technological edge to meet the challenges we will face. I urge the Senate to approve this legislation as an important part of that effort.

Mr. THURMOND. Mr. President, today, I am again offering an amendment that would correct the longstanding injustice to the widows or widowers of our military retirees. The proposed legislation, which reflects the language of S. 145 which I introduced on January 23, 2001, would immediately increase for surviving spouses over the

age 62 the minimum Survivor Benefit Plan, SBP, annuity from 35 percent to 40 percent of the SBP covered retired pay. The bill would provide a further increase to 45 percent of covered retired pay as of October 1, 2006.

As I outlined in my many statements in support of this important legislation, the Survivor Benefit Plan advertises that if the service member elects to join the plan, his survivor will receive 55 percent of the member's retirement pay. Unfortunately, that is not so. The reason that they do not receive the 55 percent of retired pay is that current law mandates that at age 62 this amount be reduced either by the amount of the Survivors Social Security benefit or to 35 percent of the SBP. This law is especially irksome to those retirees who joined the plan when it was first offered in 1972. These service members were never informed of the age-62 reduction until they had made an irrevocable decision to participate. Many retirees and their spouses, as our constituent mail attests, believed their premium payments would guarantee 55 percent of retired pay for the life of the survivor. It is not hard to imagine the shock and financial disadvantage these men and women who so loyally served the Nation for many years experience when they learn of the annuity reduction.

Uniformed services retirees pay too much for the available SBP benefit both, compared to what we promised and what we offer other Federal retirees. When the Survivor Benefit Plan was enacted in 1972, the Congress intended that the Government would pay 40 percent of the cost to parallel the Government subsidy of the Federal civilian survivor benefit plan. That was short-lived. Over time, the Government's cost sharing has declined to about 26 percent. In other words, the retiree's premiums now cover 74 percent of expected long-term program costs versus the intended 60 percent. Contrast this with the Federal civilian SBP, which has a 42 percent subsidy for those personnel under the Federal Employees Retirement System and a 50 percent subsidy for those under the Civil Service Retirement System. Further, Federal civilian survivors receive 50 percent of retired pay with no offset at age 62. Although Federal civilian premiums are 10 percent retired pay compared to 6.5 percent for military retirees, the difference in the percent of contribution is offset by the fact that our service personnel retire at a much younger age than the civil servant and, therefore pay premiums much longer than the federal civilian retiree.

Although the House conferees thwarted my previous efforts to enact this legislation into law, I am ever optimistic that this year we will prevail. I base my optimism on the fact that the National Defense Authorization Act for fiscal year 2001 included a Sense of the Congress on increasing Survivor Benefit Plan annuities for surviving spouses age 62 or older. The Sense of the Congress reflects the concern addressed by the legislation I am introducing again today.

Since I introduced S.145, 37 of my colleagues joined as cosponsors to the bill. I hope they will join me in speaking in support of this important legislation and the Senate will adopt this amendment.

MORNING BUSINESS

Mr. REID. I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak therein for a period not to exceed 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE MIDDLE EAST

Mr. WELLSTONE. Regarding the Middle East, I make two points, although in a few minutes it is hard to give justice to what is happening.

First, yesterday was a horrible day not just for Israel and Israelis but for Israel's neighbors, as well: The murder of 19 innocent people, and God knows how many were injured. Some of those people, young men and women, were teenagers. Murder is never legitimate. That is what this is. This is terroristic murder of innocent people.

It is not for me, as a Senator, to come to the floor and say the people of Israel or supporters in the United States are not to have indignation. We should condemn it. I condemn it on the floor of the Senate. I condemn it.

Second, Prime Minister Rabin said when confronted with terrorist attacks, something like: We will go after the terrorists; we will defend ourselves, and we will go forward with the peace process—in other words, we are not going to let the extremists, Hamas terrorists and others, completely destroy the peace process or completely prevent us from getting back on a political track. It is extremely important.

I support what has been courageous work of Secretary of State Powell. I believe the Secretary is right in what I think he is proposing; that is that our Government has to play a positive and proactive role. We cannot zig and zag. It cannot be a contradictory policy. We should be strong in our condemnation of the terrorism, of the murder of innocent people, and we also should be a part of the denunciation and the enunciation of a political goal that goes in the direction of two states, side by side, people living side by side with one another, in secure borders.

Ultimately, that is what is going to happen. The question is, How wide and how deep a river of blood has to be spilled beforehand? I know the dynamics are swirling around in terms of domestic politics, but I believe it is extremely important the President, the administration, step forward with our support and be clear in our condemnation and be clear in the call for demands of reform within the Palestinian Authority and the rest. But at the same time we should not come away from the role we can play in laying out a political goal, laying out the goal of two states side by side and trying to bring the parties together.

With the status quo, the present course, more Israeli children and Palestinian children will die. There have been innocent Palestinians who have died, innocent Palestinians who also have, unfortunately, been killed, though never deliberately. I ask unanimous consent for 1 more minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. It is extremely important that this administration lay out this goal. It is extremely important the President be strong. It is extremely important we condemn the violence but we also be part of the political process.

I believe the vast majority of people, Israelis and their neighbors, do not want to see this continuing killing of innocent people. Enough.

I yield the floor.

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 September 30, 2001 in San Diego County, CA. A 51 year-old Sikh woman was attacked by two men who stabbed her twice in the head and threatened to kill her. As she was sitting in her car, the two assailants pulled up next to her on a motorcycle, opened her door, and one of them yelled, ''This is what you get for what your people have done to us. I'm going to slash your throat.'' The attackers fled when another car approached the scene.

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.

CIVIL SERVICE REFORM AND THE RIGHTS OF FEDERAL EMPLOYEES

Mr. AKAKA. Mr. President, as we consider proposals for creating a Department of Homeland Security to protect our Nation's borders and critical infrastructure, we must not forget the 170,000 federal employees who will staff this new agency.

This new department should not be used as a vehicle to advance broad changes to existing laws that would

erode the rights and benefits now accorded to these federal workers. Nor should personnel decisions related to the agency be done in secret. Congress, along with employee unions and management associations, must be a part of the creation of the new department and any changes to title 5.

The President's proposal for the homeland security department calls for enhanced management flexibilities in hiring, compensation, and workforce management. The challenges that such flexibilities would address are not new, and despite the belief that drastic personnel changes are needed, we should not forget that today's federal government faces many of the same workforce challenges as in the past. Real solutions for civil service reform require strong leadership from the top down and a commitment to the federal merit system and the employees it protects.

Some 25 years ago, the Civil Service Reform Act (CSRA) of 1978 responded to the same issues confronting our government today. Much like today, there were serious concerns that government red tape hindered managers from effectively recruiting, developing, retaining, and managing federal employees. Similar to current proposals, the CSRA focused on enhancing the accountability of the federal workforce, while it increased management flexibilities and streamlined hiring and firing procedures. The act made it easier for managers to address employee performance.

The act also established the principles of openness and procedural justice that define the civil service today. It created the Merit System Protection Board and the Office of Special Counsel to protect the rights of federal employees. The Federal Labor Relations Authority was created to oversee labor-management practices.

The act provided a statutory basis for the collective bargaining rights of federal workers. It prohibited reprisals against employees who expose government fraud, waste and abuse.

The Federal Government was strengthened as an employer as a result of the CSRA. Today, the federal civil service merit principles serve as a model for equal employment practices to both the private sector and foreign governments. With nearly half of the current Federal workforce eligible for retirement in the next 5 years, we must take care that we do not create an atmosphere where the Federal Government becomes the ''employer of last resort.''

Those in the Federal workforce demonstrate strong accountability and loyalty every day—not just to their employer—but to their country. On September 11, the Federal workforce responded with courage, dedication, and sacrifice, reminding us that we are all soldiers in the war against terrorism.

As chairman of the International Security, Proliferation, and Federal Services Subcommittee, I will work to ensure that the rights of federal employees are preserved and accountability is maintained. These rights do not pose a threat to our national security and should never be used as a litmus-test for the patriotism of the Federal workforce.

VOTE EXPLANATION

Mr. LIEBERMAN. Mr. President, during the debate on the Andean Trade Promotion Act, H.R. 3009, I missed the vote on Senator WELLSTONE's amendment, amendment No. 129, on May 23. The vote was on a motion by Senator BAUCUS to table the amendment and the motion failed. The amendment inserted a new paragraph in the legislation stating that the principal negotiation objective regarding human rights and democracy is to obtain provisions in trade agreements that require parties to those agreements to strive to protect internationally recognized civil, political, and human rights. I would have voted against the motion to table. My vote was not necessary to defeat that motion.

TERRORISM RISK INSURANCE ACT OF 2002

Mrs. BOXER. Mr. President, I voted for S. 2600, the Terrorism Risk Insurance Act of 2002. But I did so with reservations.

I recognize the need for a Federal backstop for terrorism insurance, and although I believe the way this bill is designed is flawed, it is better than the status quo. Insurers are not making enough terrorism insurance available in key areas and rates are rising astronomically because insurers cannot count on a Federal backstop to possible losses in the event of another terrorist attack.

I would have preferred that we create a risk-sharing pool that would not have placed so heavily a burden on the taxpayer. In a risk-sharing pool, insurance companies would pay a percentage of their premiums into a pool. In the event of an attack, affected companies could pay claims out of the pool after each meets its individual responsibility for covering losses. If the pool were ever depleted, then the government would lend the pool the money to cover remaining claims. In that way, the taxpayer would eventually be made whole. The structure we are approving today will put the taxpayer on the line for losses as soon as a company's individual retention level is met. And the taxpayer will never be paid back.

In addition, I am also concerned about the lack of consumer protections in the bill. Not only does the bill fail to provide Federal protection from price gouging, it preempts States from protecting consumers through the prior approval process. The Foundation for Taxpayer and Consumer Rights in California and the Consumer Federation of America have raised concerns that long-standing State systems for protecting consumers will be thrown out the window.

I worked on an amendment to replace the State preemption language in the bill with language stating that terrorism insurance rates shall not be subject to a waiting period greater than 60 days under any State law. This would have allowed California and 21 other States to retain oversight for prior approval over increases in terrorism insurance rates while also making sure that the insurance is made available quickly.

In a colloquy on the issue, Senator DODD has committed to working with me as this bill goes to conference. As a result, I did not offer my amendment. But given the number of Americans involved, the taxpayer exposure to risk, and the leverage that insurers will have over consumers, I believe we must allow States to protect consumers.

Though I voted in favor of moving this process forward, I will remain vigilant throughout the rest of the process and hope to see improvements in the legislation made in the conference committee.

BROADBAND FOR RURAL AMERICA

Mr. JOHNSON. Mr. President, I wanted to take a few moments today to talk about a topic that is critical to the future of my home State of South Dakota and indeed, many other rural areas around the country. The topic is access to advanced telecommunications and information services or what is commonly referred to as ''broadband.''

Those who have been following the broadband debate the last few years have probably heard more than they want to hear about the subject. As is often the case in Washington, policy debates get caught up in the extreme rhetoric of various interests vying for some legislative or regulatory advantage. And, unfortunately, the Washington debate, and broadband is no exception, seems to drift far from the real issue that needs to be addressed.

For example, the debate over broadband services, at least the debate one sees in the radio and newspaper ads in this town, would lead one to believe that the broadband problem is a question as to whether or not cable companies or phone companies will dominate in their competitive struggle for urban customers. I think it is great that in some parts of the country, such as major cities like Washington, DC, many businesses and residential consumers have cable companies and phone companies vying for their business. This is good for those who live in areas where a choice for broadband service is available.

Where I come from, however, the luxury of a choice or any choice does not exist when it comes to access to broadband services. Access to broadband services in many rural areas, including parts of South Dakota, is a real challenge. From my perspective, the broadband debate so far has

really missed the mark and is not focused on the real challenge: how to ensure that all areas of the country have access to broadband services.

Despite some claims to the contrary, broadband access is not a luxury item, like a Mercedes Benz. It has become a necessity in the information age. For rural States like South Dakota, broadband access is literally going to mean whether or not some of our small communities can survive in the new global economy where one's ability to access information and communication services will determine success or failure. While South Dakota will always be an important agricultural State, we know that we need to have the same access to advanced telecommunications and information services as the rest of the country. If we become a second-class society when it comes to broadband, we are more likely to be left behind. We will have less opportunity to keep our young people in the State and have less opportunity to create jobs and generate business activity.

The good news is that there is really no reason why rural America has to lag behind the advances in telecommunications in other parts of the country. But, in order to ensure that we have the same opportunities as those in urban and suburban areas, we have to overcome the unique challenges of covering great geographic distances and the high costs of deploying networks in the prairie states.

Well, help is on the way and we have begun to make some progress towards establishing policies and programs that will help ensure that rural America is not left behind.

First, the recently enacted farm bill contained provisions that established a new low-interest broadband loan program for rural areas. A generation ago, The Rural Electrification Act established low-interest loan programs to enable small town cooperatives and independent phone companies to emerge and provide telephone service and electrical service in the rural and remote areas of the country. As a result, we now have ubiquitous and affordable telephone service. Now that we are moving into the next generation of telecommunications service, i.e., broadband, we need to build upon that model of success. Thus, the Senate demonstrated leadership in the Farm Bill debate this past year and we managed to pass the most significant broadband legislation to date. We provided $100 million for low-interest government loans for broadband deployment in rural areas over the next seven years. This is going to be very helpful to South Dakota and other rural areas, and I am very pleased that we managed to secure the passage of this landmark legislation.

However, the job is far from complete. The broadband debate needs to move forward and there are several areas that need to be addressed before any of us can honestly say that we have done enough to ensure that broadband is going to be deployed throughout the United States.

Some of my colleagues have introduced legislation that addresses the broadband issue from various fronts, and I do see merit in the various approaches.

Senator ROCKEFELLER for example has introduced S. 88, the Broadband Internet Access Act. This important legislation would provide tax credits to companies that deploy broadband service to rural America. I am a cosponsor of S. 88 and worked with Senator BAUCUS and others to include this legislation in the stimulus package passed by the Finance Committee. It is unfortunate this package was not adopted by the Senate; however, I will continue to work with my colleagues to secure passage of S. 88.

Another colleague, Senator BREAUX, has introduced legislation that is intended to address the regulatory inequity between cable and telephone broadband systems. The Breaux-Nickles legislation, in my judgment, also addresses a legitimate issue. The problem with our current circumstance is that the Federal Communications Commission, FCC, has decided that cable broadband services should not be regulated but that telephone broadband services should be regulated. This does not make much sense to me. In fact, this circumstance seems to run counter to the technical neutrality policy that Congress adopted in the 1996 Telecommunications Act. It seems to me that similar services should be treated in similar fashion when it comes to government regulation. It does not make much sense to say that on the one hand, broadband services delivered by a cable company should not be regulated, i.e., are not required to provide access to competitors and do not contribute to universal service, and on the other hand subject broadband service provided by telephone companies to regulations that require open access to competitors and mandatory universal service contributions.

As we debate this issue to determine the appropriate level of regulation, we must be certain that we have parity between competitors. I still have much to learn about all the implications of the Breaux-Nickles legislation, but I do know that it does address an important issue, the disparity of regulation between cable and telephone broadband services.

Yet another colleague, Senator HOLLINGS, has introduced a bill that builds upon the success of the farm bill and would redirect some of the existing telephone excise tax money into a broadband investment fund. The money in that fund would make even more low-interest loans and grants available for broadband deployment in rural areas. His bill would also support needed research into new generation broadband technologies, especially those that can help bridge the digital divide in rural areas. I think his legislation is very thoughtful and I agree with the notion that we do indeed need to invest more into loans and grants for rural broadband. His bill is, in my judgment, part of the solution.

I realize that there are some strongly held positions on various sides of the broadband debate when it comes to the regulatory questions. The Congress will need to examine these issues and I am confident that the Senate Committee on Commerce, Science, and Transportation will continue to debate the various pieces of legislation that have been introduced. I also know that there are some approaches where we seem to have a consensus, namely the idea that we continue to provide low-interest loans and that we maintain the universal service system that has helped to make phone service affordable. For my part, I intend to engage in these debates from the perspective of how rural America is going to participate in the digital age. Rural South Dakota is my biggest concern and I hope that my colleagues who are working hard on these issues will listen and work with those Senators, like myself, who come from rural states to address our unique concerns.

I look forward to working with my colleagues on these important issues, I thank my colleagues for their leadership in this area.

ADDITIONAL STATEMENTS

TRIBUTE TO VICE ADMIRAL GEORGE PETER NANOS, JR., COMNAVSEA

• Mr. SMITH of New Hampshire. Mr. President, I rise today to honor Vice Admiral George Peter Nanos, Jr., United States Navy. Vice Admiral Nanos will retire on Monday, 1 July 2002, after 35 years of faithful service to our nation.

Hailing from Bedford, New Hampshire, Vice Admiral Nanos is a graduate of the U.S. Naval Academy. At the Academy, he was awarded the 1967 Harry E. Ward Trident Scholar's Prize. Following graduation, he spent two years at sea as Antisubmarine Warfare and Gunnery Officer on USS *Glennon* (DD 840) before entering Princeton University, where he earned a Ph.D. in physics in 1974.

Returning to sea, Vice Admiral Nanos served as Engineer Officer aboard USS *Forrest Sherman* (DD 931) and as Materiel Officer on the staff of Destroyer Squadron Ten. From 1978 to 1982, he was the manager for Technical Development in the Navy's High Energy Laser Program Office (NAVSEA PMS 405). He then served as the Combat Systems Officer in Norfolk Naval Shipyard while also training to become an Engineering Duty Officer. He returned to sea yet again as Chief Engineer for the aircraft carrier USS *America* (CV 66). While on *America*, he participated in Operation Eldorado Canyon and helped to ensure the successful launch of naval airstrikes against

Libya after that country was linked to a terrorist bombing of a West Berlin discotheque, which killed 1 American and injured 78 people. Following this tour, he was assigned as the Deputy Director, Warfare Systems Engineering in the Space and Naval Warfare Systems Command.

In 1988, Vice Admiral Nanos reported to Strategic Systems Programs, serving consecutively as Head of the Navigation Branch, head of the Missile Branch, and Director of the Technical Division. In June 1994, he assumed duties as Director, Strategic Systems Programs, responsible for all aspects of the Navy's Fleet Ballistic Missile Weapon Systems.

In May 1998, Vice Admiral Nanos assumed his rank and duties as Commander, Naval Sea Systems Command, the Navy's largest acquisition organization. Throughout the past four years, he has been responsible for the design, engineering, procurement, integration, construction, in-service support, and maintenance of the Navy's ships, shipboard weapons, and combat systems.

Vice Admiral Nanos' service education includes U.S. Naval Destroyer School at Newport, Rhode Island; Engineering Duty Officer basic and mid-career courses; the Senior Officer Ship Materiel Readiness Course at Idaho Falls, Idaho; and the Program Management Course at the Defense Systems Management College, Fort Belvoir, Virginia. His specialty as an Engineering Duty Officer is ordnance and weapons systems acquisition.

Vice Admiral Nanos successfully led the Command through a brilliant transformation of NAVSEA'S business practices in executing complex acquisition and Fleet maintenance and modernization responsibilities. He expertly managed the resizing, recapitalizing, and realignment of the personnel and technical resources devoted to designing, building, repairing, and modernizing ships and their weapons systems. Displaying bold vision, innovation, and superb leadership, he instituted far-reaching quality initiatives that forged a highly focused, reenergized workforce. These have transformed the Command into a unified corporation that provides world-class technical, acquisition, and life-cycle support leadership to America's Navy. His contributions have had a direct and lasting impact on the overall readiness, effectiveness, and survivability of the United States Armed Forces.

Vice Admiral Nanos' superb leadership, exceptional integrity, engineering expertise, and tireless devotion to duty reflect great credit upon him and are in keeping with the highest traditions of the United States Naval Service. He has done a superb job in leading the Naval Sea Systems Command to fulfill its mission: Keeping America's Navy #1 in the World.

Although Vice Admiral Nanos has worked diligently to increase the efficiency and effectiveness of naval and marine shipbuilding capabilities throughout the United States, he has often shown his dedication to and respect for the men and women of the Portsmouth Naval Shipyard team. He recently visited the Shipyard to personally congratulate and thank the Shipyard team for their record-setting work on two submarines: A record-setting depot maintenance period on USS *Miami*, followed by a record-setting engineering refueling overhaul on USS *City of Corpus Christi*. Thanks in part to his vision, the Shipyard retains its important military-industrial capabilities and continues to provide critical jobs for the region.

Vice Admiral Nanos' innovation has ensured the success of the Naval Sea Systems Command and the United States Navy's ships well into the 21st Century. He is an individual of uncommon character and his professionalism will be sincerely missed. I am proud, Mr. President, to thank him for his honorable service in the United States Navy, and to wish him fair winds and following seas as he closes his distinguished military career.

I suspect Vice Admiral Nanos will continue his adventures, and will bring much credit to his name, as well as our government and our country. He is a true American hero, and his direct contributions to our military will long be remembered with heartfelt gratitude.●

A TRIBUTE TO ALONZO FRANKLIN HERNDON

● Mr. CLELAND. Mr. President, shortly after the turn of the 20th century, Alonzo Franklin Herndon, a former slave, founded the Atlanta Mutual Insurance Association, which would later become the Atlanta Life Insurance Company. Today, Atlanta Life holds assets of over $200 million, operates in 17 states, and stands as one of the largest African-American owned and operated financial institutions in the Nation.

Born on a farm near Social Circle, GA, in 1858, Herndon's beginnings were anything but auspicious. He spent his early life in field labor and sharecropping. However, he ultimately learned the barbering trade and flourished. By the turn of the century, he owned and operated the world renowned Crystal Palace barbershop on Peachtree Street in downtown Atlanta. By the time he founded the Atlanta Mutual Insurance Association, Alonzo Herndon was one of the wealthiest African-Americans in the Nation.

Alonzo Herndon's vision for his company transcended conventional corporate thinking. Mr. Herndon was not only worried about the bottom line, but about the health and livelihood of African-Americans throughout the Atlanta area. The Atlanta Mutual Insurance Association was formed after Mr. Herndon purchased a small benevolent association for $140, and acquired and reorganized two other companies in September of 1905. By providing sick and death benefits to African-Americans for affordable weekly assessments of 5 to 25 cents, the Atlanta Life Insurance Company defined corporate responsibility to the community.

Today, we honor the Atlanta Life Insurance Company on the occasion of their founder's day birthday celebration. Specifically, we join Atlanta Life in honoring the barber profession, without which Alonzo Herndon would not have been able to create the Atlanta Life Insurance Company. Moreover, we look forward to the 2005 Founder's Celebration commemorating the 100th anniversary of Atlanta Life's founding. In an age where corporate malfeasance is too often in the news, it gives me great pride to celebrate a company that has succeeded financially without compromising its values. I wish the Atlanta Life Insurance Company many more years of success.●

REPORT OF THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE RISK OF NUCLEAR PROLIFERATION CREATED BY THE ACCUMULATION OF WEAPONS-USABLE FISSILE MATERIAL IN THE TERRITORY OF THE RUSSIAN FEDERATION BEYOND JUNE 21, 2002—PM 93

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the emergency declared with respect to the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation is to continue beyond June 21, 2002, to the *Federal Register* for publication. The most recent notice continuing this emergency was published in the *Federal Register* on June 14, 2001, (66 FR 32207).

It remains a major national security goal of the United States to ensure that fissile material removed from Russian nuclear weapons pursuant to various arms control and disarmament agreements is dedicated to peaceful uses, subject to transparency measures, and protected from diversion to activities of proliferation concern. The accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United

States. For this reason, I have determined that it is necessary to continue the national emergency declared with respect to the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation and maintain in force these emergency authorities to respond to this threat.

GEORGE W. BUSH.
THE WHITE HOUSE, *June 18, 2002*.

PERIODIC REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO THE RISK OF NUCLEAR PROLIFERATION CREATED BY THE ACCUMULATION OF WEAPONS-USABLE FISSILE MATERIAL IN THE TERRITORY OF THE RUSSIAN FEDERATION—PM 94

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report prepared by my Administration on the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation that was declared in Executive Order 1319 of June 21, 2000.

GEORGE W. BUSH.
THE WHITE HOUSE, *June 18, 2002*.

REPORT ON THE EMERGENCY REGARDING PROLIFERATION OF WEAPONS OF MASS DESTRUCTION—PM 95

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

As required by section 204(c) of the International Emergency Economic Powers act, 50 U.S.C. 1703(c), and section 401(c) of the National Emergency Act, 50 U.SC. 1641(c), I transmit herewith a 6-month periodic report prepared by my Administration on the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994.

GEORGE W. BUSH.
THE WHITE HOUSE, *June 18, 2002*.

MESSAGE FROM THE HOUSE

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on June 19, 2002, during the recess of the Senate, received a message from the House of Representatives announcing that the House agrees to the amendment of the Senate to the bill (H.R. 4560) to eliminate the deadlines for spectrum auctions of spectrum previously allocated to television broadcasting.

ENROLLED BILLS SIGNED

The message also announced that the Speaker has signed the following enrolled bills:

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.

H.R. 4560. An act to eliminate the deadlines for spectrum auctions of spectrum previously allocated to television broadcasting.

Under authority of the order of the Senate of January 3, 2001, the enrolled bills were signed by the acting President pro tempore (Mr. REID) pursuant to the order of the Senate of June 18, 2002, on that day.

At 10:41 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3250. An act to authorize the presentation of gold medals on behalf of Congress to Native Americans who served as Code Talkers during foreign conflicts in which the United States was involved during the 20th Century in recognition of their service to the Nation.

H.R. 4717. An act to designate the facility of the United States Postal Service located at 1199 Pasadena Boulevard in Pasadena, Texas, as the ''Jim Fonteno Post Office Building.''

H.R. 4794. An act to designate the facility of the United States Postal Service located at 1895 Avenida Del Oro in Oceanside, California, as the ''Ronald C. Packard Post Office Building.''

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 364. Concurrent resolution recognizing the historic significance of the 50th anniversary of the founding of the United States Army Special Forces and honoring the ''Father of the Special Forces,'' Colonel Aaron Bank (United States Army, retired) of Mission Viejo, California, for his role in establishing the Army Special Forces.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3250. An act to authorize the presentation of gold medals on behalf of Congress to Native Americans who served as Code Talkers during foreign conflicts in which the United States was involved during the 20th Century in recognition of their service to the Nation; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 4717. An act to designate the facility of the United States Postal Service located at 1199 Pasadena Boulevard in Pasadena, Texas, as the ''Jim Fonteno Post Office Building''; to the Committee on Governmental Affairs.

H.R. 4794. An act to designate the facility of the United States Postal Service located at 1895 Avenida Del Oro in Oceanside, California, as the ''Ronald C. Packard Post Office Building''; to the Committee on Governmental Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 364. Concurrent resolution recognizing this historic significance of the 50th anniversary of the founding of the United States Army Special Forces and honoring the ''Father of the Special Forces,'' Colonel Aaron Bank (United States Army, retired) of Mission Viejo, California, for his role in establishing the Army Special Forces; to the Committee on Armed Services.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JEFFORDS, from the Committee on Environment and Public Works, without amendment:

S. 1646: A bill to identify certain routes in the States of Texas, Oklahoma, Colorado, and New Mexico as part of the Ports-to-Plains Corridor, a high priority corridor on the National Highway System. (Rept. No. 107–165).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. KENNEDY for the Committee on Governmental Affairs.

J. Russell George, of Virginia, to be Inspector General, Corporation for National and Community Service. (Pursuant to the order of January 5, 2001, nomination was sequentially referred to the Committee on Governmental Affairs for not to exceed 20 days.)

*Kathleen P. Utgoff, of Virginia, to be Commissioner of Labor Statistics, United States Department of Labor for a term of four years.

*W. Roy Grizzard, of Virginia, to be an Assistant Secretary of Labor.

*Lex Frieden, of Texas, to be a Member of the National Council on Disability for a term expiring September 17, 2004.

*Young Woo Kang, of Indiana, to be a Member of the National Council on Disability for a term expiring September 17, 2003.

*Kathleen Martinez, of California, to be a Member of the National Council on Disability for a term expiring September 17, 2003.

*Carol Hughes Novak, of Georgia, to be a Member of the National Council on Disability for a term expiring September 17, 2004.

*Patricia Pound, of Texas, to be a Member of the National Council on Disability for a term expiring September 17, 2002.

*Jeffrey D. Wallin, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2006.

*Wilfred M. McClay, of Tennessee, to be a Member of the National Council on the Humanities for a term expiring January 26, 2006.

*Thomas Mallon, of Connecticut, to be a Member of the National Council on the Humanities for a term expiring January 26, 2004.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BUNNING:

S. 2643. A bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs; to the Committee on Finance.

By Mr. FITZGERALD:

S. 2644. A bill to amend chapter 35 of title 31, United States Code, to expand the types of Federal agencies that are required to prepare audited financial statements; to the Committee on Governmental Affairs.

By Mrs. FEINSTEIN:

S. 2645. A bill to establish the Director of National Intelligence as head of the intelligence community, to modify and enhance authorities and responsibilities relating to the administration of intelligence and the intelligence community, and for other purposes; to the Select Committee on Intelligence.

By Mr. BINGAMAN:

S. 2646. A bill to authorize the Secretary of Transportation to establish the National Transportation Modeling and Analysis Program to complete an advanced transportation simulation model, and for other purposes; to the Committee on Environment and Public Works.

By Ms. SNOWE (for herself and Mr. DURBIN):

S. 2647. A bill to require that activities carried out by the United States in Afghanistan relating to governance, reconstruction and development, and refugee relief and assistance will support the basic human rights of women and women's participation and leadership in these areas; to the Committee on Foreign Relations.

By Mr. HUTCHINSON (for himself, Mr. SESSIONS, Mr. INHOFE, Mr. FRIST, Mr. LOTT, Mr. KYL, Mr. GRAMM, and Mr. THOMAS):

S. 2648. A bill to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care, and for other purposes; to the Committee on Finance.

By Mr. KENNEDY (for himself and Mr. FRIST):

S. 2649. A bill to provide assistance to combat the HIV/AIDS pandemic in developing foreign countries; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SMITH of New Hampshire:

S. Res. 288. A resolution expressing the sense of the Senate that New Hampshire residents Ken Curran and George McAvoy be honored for their initiative on behalf of the taxpayer and the environment in the construction of the Moore Reservoir Causeway in Littleton, New Hampshire; to the Committee on Environment and Public Works.

By Ms. SNOWE (for herself, Mr. BIDEN, and Mr. SARBANES):

S. Con. Res. 122. A concurrent resolution expressing the sense of Congress that security, reconciliation, and prosperity for all Cypriots can be best achieved within the context of membership in the European Union which will provide significant rights and obligations for all Cypriots, and for other purposes; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 548

At the request of Mr. HARKIN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 548, a bill to amend title XVIII of the Social Security Act to provide enhanced reimbursement for, and expanded capacity to, mammography services under the medicare program, and for other purposes.

S. 576

At the request of Mrs. FEINSTEIN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 576, a bill to require health insurance coverage for certain reconstructive surgery.

S. 582

At the request of Mr. GRAHAM, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 582, a bill to amend titles XIX and XXI of the Social Security Act to provide States with the option to cover certain legal immigrants under the medicaid and State children's health insurance program.

S. 611

At the request of Ms. MIKULSKI, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 611, a bill to amend title II of the Social Security Act to provide that the reduction in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds $1,200, adjusted for inflation.

S. 812

At the request of Mr. SCHUMER, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 812, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals.

S. 824

At the request of Mr. GRAHAM, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 824, a bill to establish an informatics grant program for hospitals and skilled nursing facilities.

S. 839

At the request of Mrs. HUTCHISON, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 839, a bill to amend title XVIII of the Social Security Act to increase the amount of payment for inpatient hospital services under the medicare program and to freeze the reduction in payments to hospitals for indirect costs of medical education.

S. 913

At the request of Ms. SNOWE, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 913, a bill to amend title XVIII of the Social Security Act to provide for coverage under the medicare program of all oral anticancer drugs.

S. 998

At the request of Mr. FEINGOLD, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 998, a bill to expand the availability of oral health services by strengthening the dental workforce in designated underserved areas.

S. 1005

At the request of Mr. JEFFORDS, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1005, a bill to provide assistance to mobilize and support United States communities in carrying out community-based youth development programs that assure that all youth have access to programs and services that build the competencies and character development needed to fully prepare the youth to become adults and effective citizens, and for other purposes.

S. 1054

At the request of Mr. KOHL, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1054, a bill to amend titles XVIII and XIX of the Social Security Act to prevent abuse of recipients of long-term care services under the Medicare and Medicaid programs.

S. 1152

At the request of Mr. DURBIN, the name of the Senator from Missouri (Mrs. CARNAHAN) was added as a cosponsor of S. 1152, a bill to ensure that the business of the Federal Government is conducted in the public interest and in a manner that provides for public accountability, efficient delivery of services, reasonable cost savings, and prevention of unwarranted Government expenses, and for other purposes.

S. 1239

At the request of Mr. HAGEL, the name of the Senator from Texas (Mr. GRAMM) was added as a cosponsor of S. 1239, a bill to amend title XVIII of the Social Security Act to provide medicare beneficiaries with a drug discount card that ensures access to affordable outpatient prescription drugs.

S. 1339

At the request of Mr. CAMPBELL, the names of the Senator from California

(Mrs. FEINSTEIN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1339, a bill to amend the Bring Them Home Alive Act of 2000 to provide an asylum program with regard to American Persian Gulf War POW/MIAs, and for other purposes.

S. 1394

At the request of Mr. ENSIGN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1394, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 1903

At the request of Mr. KERRY, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 1903, a bill to amend the Internal Revenue Code of 1986 to allow certain small businesses to defer payment of tax.

S. 1987

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 1987, a bill to provide for reform of the Corps of Engineers, and for other purposes.

S. 2051

At the request of Mr. REID, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2051, a bill to remove a condition preventing authority for concurrent receipt of military retired pay and veterans' disability compensation from taking affect, and for other purposes.

At the request of Ms. STABENOW, her name was added as a cosponsor of S. 2051, supra.

S. 2070

At the request of Mr. BINGAMAN, the name of the Senator from Minnesota (Mr. WELLSTONE) 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. 2194

At the request of Mr. MCCONNELL, the names of the Senator from Pennsylvania (Mr. SANTORUM), the Senator from Idaho (Mr. CRAPO), and the Senator from Montana (Mr. BURNS) were added as cosponsors of S . 2194, a bill to hold accountable the Palestine Liberation Organization and the Palestinian Authority, and for other purposes.

S. 2215

At the request of Mr. SANTORUM, the name of the Senator from Kentucky (Mr. BUNNING) 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.

At the request of Mrs. BOXER, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 2215, supra.

S. 2233

At the request of Mr. THOMAS, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2233, a bill to amend title XVIII of the Social Security Act to establish a medicare subvention demonstration project for veterans.

S. 2317

At the request of Mr. DURBIN, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 2317, a bill to provide for fire safety standards for cigarettes, and for other purposes.

S. 2490

At the request of Mr. TORRICELLI, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Virginia (Mr. ALLEN) 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. 2509

At the request of Mrs. HUTCHISON, the names of the Senator from Montana (Mr. BURNS) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 2509, a bill to amend the Defense Base Closure and Realignment Act of 1990 to specify additional selection criteria for the 2005 round of defense base closures and realignments, and for other purposes.

S. 2558

At the request of Mr. REED, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2558, a bill 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. 2570

At the request of Ms. COLLINS, the name of the Senator from Maryland (Ms. MIKULSKI) 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. 2572

At the request of Mr. KERRY, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 2572, a bill to amend title VII of the Civil Rights Act of 1964 to establish provisions with respect to religious accommodation in employment, and for other purposes.

S. 2591

At the request of Ms. MIKULSKI, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 2591, a bill to reauthorize the Mammography Quality Standards Act, and for other purposes.

S. 2606

At the request of Mrs. BOXER, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 2606, a bill to require the Secretary of Labor to establish a trade adjustment assistance program for certain service workers, and for other purposes.

S. 2608

At the request of Mr. HOLLINGS, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 2608, a bill to amend the Coastal Zone Management Act of 1972 to authorize the acquisition of coastal areas in order better to ensure their protection from conversion or development.

S. 2610

At the request of Mr. WELLSTONE, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 2610, a bill to amend part A of title IV of the Social Security Act to include efforts to address barriers to employment as a work activity under the temporary assistance to needy families program, and for other purposes.

S. 2621

At the request of Mr. LEAHY, the names of the Senator from Utah (Mr. HATCH) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 2621, a bill to provide a definition of vehicle for purposes of criminal penalties relating to terrorist attacks and other acts of violence against mass transportation systems.

S. 2622

At the request of Mr. HOLLINGS, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 2622, a bill to authorize the President to posthumously award a gold medal on behalf of Congress to Joseph A. De Laine in recognition of his contributions to the Nation.

S. RES. 264

At the request of Mr. KERRY, the names of the Senator from Washington (Ms. CANTWELL), the Senator from New Mexico (Mr. DOMENICI), the Senator from Minnesota (Mr. DAYTON), the Senator from Montana (Mr. BURNS), the Senator from Missouri (Mrs. CARNAHAN), the Senator from Alaska (Mr. STEVENS), the Senator from Georgia (Mr. CLELAND), the Senator from South Dakota (Mr. DASCHLE), the Senator from Virginia (Mr. ALLEN), the Senator from Washington (Mrs. MURRAY), the Senator from Maine (Ms. COLLINS), the Senator from South Dakota (Mr. JOHNSON), the Senator from Mississippi (Mr. COCHRAN), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. Res. 264, a resolution expressing the sense of the Senate that small business participation is vital to the defense of our Nation, and that Federal, State, and local governments should aggressively seek out and purchase innovative technologies and services from American small businesses to help in homeland defense and the fight against terrorism.

S. RES. 266

At the request of Mr. ROBERTS, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from North Carolina (Mr. HELMS) were added as cosponsors of S. Res. 266, a resolution designating October 10, 2002, as ''Put the Brakes on Fatalities Day.''

S. RES. 270

At the request of Mr. CAMPBELL, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. Res. 270, a resolution designating the week of October 13, 2002, through October 19, 2002, as ''National Cystic Fibrosis Awareness Week.''

S. CON. RES. 11

At the request of Mrs. FEINSTEIN, the names of the Senator from South Carolina (Mr. HOLLINGS) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. Con. Res. 11, a concurrent resolution expressing the sense of Congress to fully use the powers of the Federal Government to enhance the science base required to more fully develop the field of health promotion and disease prevention, and to explore how strategies can be developed to integrate lifestyle improvement programs into national policy, our health care system, schools, workplaces, families and communities.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BUNNING:

S. 2643. A bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs; to the Committee on Finance.

Mr. BUNNING. Mr. President, today I am introducing legislation to make the adoption tax credit permanent. Last year, Congress passed and President Bush signed into law the Economic Growth and Tax Relief Reconciliation Act. This act contains many and much needed tax relief provisions for the American people. However, because of procedural rules in the Senate, this new law sunsets and expires after December 31, 2010.

The legislation I introduce today makes permanent a tax provision in that law, that being the adoption tax credit. If we do not pass this extension, and the adoption tax credit sunsets, then this tax credit will be cut overnight from a maximum of $10,000 to $5,000. Families who adopt special needs children will no longer receive a flat $10,000 credit, and instead, they will be limited to a maximum of $6,000. As well, families claiming the credit may be pushed into the AMT, Alternative Minimum Tax. And the income caps will fall from $150,000 to $75,000 so that fewer families will be eligible for the credit.

There are over 500,000 kids in publicly funded foster care right now waiting to be adopted. And there are even more in the private system. Let's help them find loving homes. Let's make it easier for families to adopt, not throw up barriers. If the adoption tax credit is cut to the prior law level of $5,000, many families will not be able to afford adoptions. And therefore less children will be welcomed into what they want the most, a real family. And adoptions are not cheap. Some licensed private adoption agencies charge fees ranging anywhere from $4,000 to $30,000.

Earlier this month, on June 4, the House of Representatives passed this permanent extension of the adoption tax credit by a vote of 391 yeas to 1 nay. I am hopeful that my colleagues in the Senate recognize the importance of moving on any legislation to permanently extend this tax credit, whether it be the House's bill we consider or this bill I am introducing today. Those kids without parents, and those parents without kids deserve to see this adoption tax credit set into law for good. We owe it to them all.

By Mr. FITZGERALD:

S. 2644. A bill to amend chapter 35 of title 31, United States Code, to expand the types of Federal agencies that are required to prepare audited financial statements; to the Committee on Governmental Affairs.

Mr. FITZGERALD. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2644

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 ''Accountability of Tax Dollars Act of 2002''.

SEC. 2. AMENDMENTS RELATING TO AUDITING REQUIREMENT FOR FEDERAL AGENCY FINANCIAL STATEMENTS.

(a) IN GENERAL.—Section 3515 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''Not later'' and inserting ''(1) Except as provided in paragraph (2), not later'';

(B) by striking ''each executive agency identified in section 901(b) of this title'' and inserting ''each covered executive agency'';

(C) by striking ''1997'' and inserting ''2003''; and

(D) by adding at the end the following:

''(2) A covered executive agency is not required to prepare an audited financial statement under this section for any fiscal year for which the total amount of budget authority available to the agency is less than $25,000,000.'';

(2) in subsection (b) by striking ''an executive agency'' and inserting ''a covered executive agency'';

(3) in subsection (c) and (d) by striking ''executive agencies'' each place it appears and inserting ''covered executive agencies''; and

(4) by adding at the end the following:

''(e) The term 'covered executive agency'—

''(1) means an executive agency that is not required by another provision of Federal law to prepare and submit to the Congress and the Director of the Office of Management and Budget an audited financial statement for each fiscal year, covering all accounts and associated activities of each office, bureau, and activity of the agency; and

''(2) does not include a corporation, agency, or instrumentality subject to chapter 91 of this title.''.

(b) WAIVER AUTHORITY.—

(1) IN GENERAL.—The Director of the Office of Management and Budget may waive the application of all or part of section 3515(a) of title 31, United States Code, as amended by this section, for financial statements required for the first 2 fiscal years beginning after the date of the enactment of this Act for an agency described in paragraph (2) of this subsection.

(2) AGENCIES DESCRIBED.—An agency referred to in paragraph (1) is any covered executive agency (as that term is defined by section 3515(e) of title 31, United States Code, as amended by subsection (a) of this section) that is not an executive agency identified in section 901(b) of title 31, United States Code.

By Mrs. FEINSTEIN:

S. 2645. A bill to establish the Director of National Intelligence as head of the intelligence community, to modify and enhance authorities and responsibilities relating to the administration of intelligence and the intelligence community, and for other purposes; to the Select Committee on Intelligence.

Mrs. FEINSTEIN. Mr. President, I rise today to offer the Intelligence Community Leadership Act of 2002. This legislation creates the position of Director of National Intelligence to lead a true intelligence community and to coordinate our intelligence and anti-terrorism efforts and help assure that the sort of communication problems that prevented the various elements of our intelligence community from working together effectively before September 11 never happen again.

While this bill will certainly not solve every problem within the intelligence community, I believe it to be a necessary first step towards getting our intelligence house in order.

The National Security Act of 1947, which created the bulk of our cold war era national security apparatus, created both the Director of the Central Intelligence Agency and the Director of Central Intelligence, of which the CIA is but one component, as two positions occupied by one person.

As Director of the Central Intelligence Agency, the person in this position is the CEO of the Agency charged with collecting human intelligence, centrally analyzing all intelligence collected by the U.S. government, and conducting covert action.

As head of the intelligence community, which also includes the Defense Intelligence Agency, the National Security Agency, the National Reconnaissance Office, National Imagery and Mapping Agency, and the intelligence-gathering elements of the FBI, as well as others, this person is responsible for coordinating a multitude of agencies and harnessing their efforts to secure the overall needs of U.S. national security.

Although this structure served as well enough in the cold war, it is, in my view, far from perfect, and, put

bluntly, I do not believe that giving both jobs to one person makes sense.

Moreover, just as the particular needs of the superpower rivalry of the cold war drove the national security structure and apparatus put into place by the National Security Act of 1947, so, too, should the intelligence and anti-terrorism challenges that our country now faces in the post-9–11 world drive the creation of new national security structures adequate to the new challenge.

The President, in proposing the creation of the Department of Homeland Security has addressed part of this challenge. But the administration's plan does not do enough to address the need to better coordinate our intelligence and anti-terrorism efforts.

To start to address these problems the Intelligence Community Leadership Act of 2002 splits the current position of Director of Central Intelligence, currently held by one individual, who is tasked with running the CIA and the intelligence community as a whole, into two positions: a Director of National Intelligence, DNI, to lead the Intelligence Community and a Director of the Central Intelligence Agency to run the CIA.

It may appear somewhat paradoxical to argue that in order to assure closer and better coordination within and across our intelligence community the current position of the Director of Central Intelligence should be split, but this is, in fact, the case.

As a practical matter, the demands of these two full time jobs on the time and attention of any person, no matter how skilled in management, are overwhelming.

Indeed, running the intelligence community and running the CIA are both important enough to be full time jobs.

That was true before September 11, and it is especially true after September 11.

Even if one person could handle both jobs and reconcile the inherent conflicts, there would remain the perception that he or she is favoring either the community or the Agency.

That is not a formula which is well-suited to lead to a seamless and fully integrated intelligence community providing optimum analytic product to national decision makers or assuring that critical intelligence missions are properly allocated and resourced.

Specifically, then, this legislation would create the new position of Director of National Intelligence, DNI, a new independent head of the intelligence community with the proper and necessary authority to coordinate activities, direct priorities, and create the budget for our nation's national intelligence community.

The DNI would be responsible for all of the functions now performed by the Director of Central Intelligence in his role as head of the intelligence community, a separate individual would be Director of the CIA.

Nominated by the President, confirmed by the Senate, and serving a ten-year term, the DNI would be insulated from the vagaries of politics and specifically empowered to create the national intelligence budget in conjunction with the various intelligence agencies within our government.

The DNI would be able to transfer personnel and funds between intelligence agencies as necessary to carry out the core functions of the intelligence community, without the need to seek permission from individual agency heads.

The Director of the Central Intelligence Agency, DCIA, freed from the double burden as head of the intelligence community, would then be able to concentrate on the critical missions of the CIA alone: Assure the collection of intelligence from human sources, and that intelligence is properly correlated, evaluated, and disseminated throughout the intelligence community and to decision makers.

The critical policy and resource decisions of the President's proposed Department of Homeland Defense will only be as good as the intelligence which informs those decisions.

Whatever the other preliminary lessons we may draw from the ongoing inquiry into the September 11 attacks, one thing is perfectly clear: we need to better coordinate our intelligence and anti-terrorism efforts.

If the new Department, and the President and Members of Congress, are going to be able to get the sort of intelligence we need to both safeguard our citizens and protect American national security interests, we need to address the structural problems that exist today with our intelligence community.

I believe a first step in finding a solution to this problem is relatively simple, enact legislation that would require the head of the intelligence community and the head of the CIA to be two different people.

That is what this legislation would do, and I urge my colleagues to join me both on this legislation, and in considering other reforms which may also be necessary to reformulate of intelligence community to meet the challenges of the new era.

By Mr. BINGAMAN:

S. 2646. A bill to authorize the Secretary of Transportation to establish the National Transportation Modeling and Analysis Program to complete an advanced transportation simulation model, and for other purposes; to the Committee on Environment and Public Works.

Mr. BINGAMAN. Mr. President, I rise today to introduce legislation that I believe will go a long way in helping to reduce congestion and improve safety and security throughout the Nation's transportation network. Today I am introducing the National Transportation Modeling and Analysis Program Establishment Act, or NATMAP for short.

The purpose of this bill is to authorize the Secretary of Transportation to complete an advanced computer model that will simulate, in a single integrated system, traffic flows over every major transportation mode, including highways, air traffic, railways, inland waterways, seaports, pipelines and other intermodal connections. The advanced model will simulate flows of both passenger and freight traffic.

Our transportation network is a central component of our economy and fundamental to our freedom and quality of life. America's mobility is the engine of our free market system. The food we eat, the clothes we wear, the materials for our homes and offices, and the energy to heat our homes and power our businesses all come to us over the nation's vast transportation network. Originating with a producer in one region, materials and products may travel via any number of combinations of truck, rail, airplane and barge before reaching their final destinations.

Today, the Internet connects the world electronically. But it is our transportation network that provides the vital interconnections for the movement of both people and goods domestically and around the world. According to the latest statistics, today our transportation industry carries over 11 billion tons of freight per year worth about $7 trillion. Of the 3.7 trillion ton-miles of freight carried in 1998, 1.4 trillion went by rail, 1 trillion by truck, 673 billion by domestic water transportation, 620 billion by pipeline, and 14 billion by air carrier.

Individuals also depend on our transportation system, be it passenger rail, commercial airline, intercity bus, or the family car, for business travel or simply to enjoy a family vacation. Excluding public transit, passengers on our highways traveled a total of 4.2 trillion passenger-miles in 1998. Another 463 billion passenger-miles traveled by air carriers. Transit companies and rail lines carried another 50 billion.

We are also interconnected to the world's transportation system, and, as I am sure every Senator well knows, foreign trade is an increasingly critical component of our economy. Our Nation's seaports, international airports, and border crossing with Canada and Mexico are the gateways through which passengers and cargo flow between America and the rest of the world. The smooth flow of trade, both imports and exports, would not be possible without a robust transportation network and the direct links it provides to our international ports of entry.

It should be clear that one of keys to our continuing economic strength rests on a transportation system that is safe, secure and efficient. Today, we are fortunate to have one of the best transportation networks in the world, and I believe we need to keep it that way. However, we are starting to see signs

that portions of the system are beginning to strain under a dramatic increase in traffic. For example, according to the Department of Transportation, from 1980 to 2000, highway travel alone increased a whopping 80 percent. Between 1993 and 1997, the total tons of freight activity grew by over 14 percent and truck activity grew by 21 percent. In the future, truck travel is expected to grow by more than 3 percent per year, nearly doubling by 2020.

Meanwhile, the strong growth in foreign trade is putting increased pressure on ports, airports, and border crossings, as well as contributing to congestion throughout the transportation network. According to DoT, U.S. international trade more than doubled between 1990 and 2000, rising from $891 billion to $2.2 trillion.

Congestion and delay inevitably result when traffic rates approach the capacity of a system to handle that traffic. I do believe increased congestion in our transportation system is a growing threat to the nation's economy. Delays in any part of the vast network lead to economic costs, wasted fuel, increased pollution, and a reduced quality of life. Moreover, in the future new security measures could also cause increased delays and disruptions in the flow of goods through our international gateways.

To deal with the ever-increasing loading of our transportation network we will need to find ways to use the system more efficiently as well as to expand some critical elements of the system. However, in planning for any improvements, it is essential to examine the impact on the whole transportation system that would result from a change in one part of the system That's exactly the goal of the bill I am introducing today.

By simulating the Nation's entire transportation infrastructure as a single, integrated system, the National Transportation Analysis and Modeling Program will allow policy makers at the state, regional and national levels to evaluate the implications of new transportation policies and actions. To ensure that all of the possible interrelated impacts are included, the model must simulate individual carriers and the transportation infrastructure used by each of the carriers in an interdependent and dynamic system. The advantage of this simulation of individual carriers and shipments is that the nation's transportation system can be examined at any level of detail, from the path of an individual truck to national multi-modal traffic flows.

Some of the transportation issues and questions that could be addressed with NATMAP include: What infrastructure improvements result in the greatest gains to overall system security and efficiency? How would the network respond to shifts in population or trade flows? How would the system respond to major disruptions caused by a natural disaster or another unthinkable terrorist attack? What effect would delays in the system due to increased security measures have on traffic flow and congestion?

Preliminary work on an advanced transportation model has been underway for several years at Los Alamos National Laboratory. As I'm sure most Senators know, Los Alamos has a long and impressive history in the development of computer simulations of complex systems, including the recent completion of the TRANSIMS model of transportation systems in metropolitan areas. The development of TRANSIMS for FHWA was originally authorized in TEA–21.

The initial work at LANL on NATMAP, funded in part by DoT, DoD, and the lab's own internal research and development program, demonstrated the technical feasibility of building a nation-wide freight transportation model that can simulate the movement of millions of trucks across the nation's highway system. During this initial development phase, the model was called the National Transportation Network and Analysis Capability, or NTNAC for short. In 2001, with funding from the Federal Highway Administration, LANL further developed the model and completed an assessment of cargo flows resulting from trade between the U.S. and Latin America.

These preliminary studies have clearly demonstrated the value to the nation of the NATMAP comprehensive modeling system. I do believe that the computer model represents a leap-ahead in transportation modeling and analysis capability. Indeed, Secretary of Transportation Norm Mineta, in a letter to me dated April 9 of this year, had this to say about the effort: ''The DOT agrees that NTNAC shows great promise of producing a tool that would be useful for analyzing the national transportation system as a single, integrated system. We agree that NTNAC would provide DOT with important new capabilities to assess and formulate critical policy and investment options and to help address homeland security and vulnerabilities in the nation's transportation network.''

I ask unanimous consent that a copy of Secretary Mineta's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF TRANSPORTATION,
Washington, DC, April 9, 2002.

Hon. JEFF BINGAMAN,
U.S. Senate, Washington, DC.

DEAR JEFF: Thank you for your letter of January 30 expressing your strong support to continue the development of the National Transportation Network Analysis Capability (NTNAC). The U.S. Department of Transportation's (DOT) Office of Policy and the Federal Highway Administration (FHWA) have been working closely with Los Alamos National Laboratory to develop this tool.

During 1998, Los Alamos National Laboratory developed a prototype NTNAC with funding provided by the DOT ($50,000 from the Office of the Secretary's Transportation Policy Development Office), the U.S. Department of Defense (TRANSCOM's Military Transportation Management Command), and the Laboratory's own internal research and development program. This effort demonstrated the technical feasibility of building a national transportation network that can simulate the movements of individual carriers (trucks, trains, planes, water vessels, and pipelines) and individual freight shippers.

During 1999, FHWA provided $750,000 to further develop NTNAC and to complete the study ''National Transportation Impact of Latin American Trade Flows.''

The DOT agrees that NTNAC shows great promise of producing a tool that would be useful for analyzing the national transportation system as a single, integrated system. We agree that NTNAC would provide DOT with important new capabilities to assess and formulate critical policy and investment options and to help address homeland security and vulnerabilities in the Nation's transportation network.

However, the Department's budget is very limited. It would be difficult to find funding to continue the project this year. If funding should become available, we will give priority consideration to continuing the NTNAC development effort.

Again, I very much appreciate your thoughts on the importance of continuing the development of NTNAC. If I can provide further information or assistance, please feel free to call me.

Sincerely yours,

NORMAN Y. MINETA.

Mr. BINGAMAN. The bill I am introducing today establishes a six-year program in the Office of the Secretary of Transportation to complete the development of the advanced transportation simulation model. The program will also support early deployment of computer software and graphics packages to Federal agencies and States for national, regional, or statewide transportation planning. The bill authorizes a total of $50 million from the Highway Trust Fund for this effort. When completed, NATMAP will provide the nation a tool to help formulate and analyze critical transportation policy and investment options, including major infrastructure requirements and vulnerabilities within that infrastructure.

Next year Congress will take up the reauthorization of TEA–21, the six-year transportation bill. I am introducing this bill today so my proposal can be fully considered by the Senate's Environment and Public Works Committee and by the Administration as the next authorization bill is being developed. I look forward to working with Senator JEFFORDS, the Chairman of EPW, and Senator SMITH, the ranking member, as well as Senator REID, the Chairman of the Transportation, Infrastructure, and Nuclear Safety Subcommittee and Senator INHOFE, the ranking member, to incorporate this bill in the reauthorization of TEA–21.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2646

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Transportation Modeling and Analysis Program Establishment Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADVANCED MODEL.—The term ''advanced model'' means the advanced transportation simulation model developed under the National Transportation Network and Analysis Capability Program.

(2) PROGRAM.—The term ''Program'' means the National Transportation Modeling and Analysis Program established under section 3.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

SEC. 3. ESTABLISHMENT OF PROGRAM.

The Secretary of Transportation shall establish a program, to be known as the ''National Transportation Modeling and Analysis Program''—

(1) to complete the advanced model; and

(2) to support early deployment of computer software and graphics packages for the advanced model to agencies of the Federal Government and to States for national, regional, or statewide transportation planning.

SEC. 4. SCOPE OF PROGRAM.

The Program shall provide for a simulation of the national transportation infrastructure as a single, integrated system that—

(1) incorporates models of—

(A) each major transportation mode, including—

(i) highways;

(ii) air traffic;

(iii) railways;

(iv) inland waterways;

(v) seaports;

(vi) pipelines; and

(vii) other intermodal connections; and

(B) passenger traffic and freight traffic;

(2) is resolved to the level of individual transportation vehicles, including trucks, trains, vessels, and aircraft;

(3) relates traffic flows to issues of economics, the environment, national security, energy, and safety;

(4) analyzes the effect on the United States transportation system of Mexican and Canadian trucks operating in the United States; and

(5) examines the effects of various security procedures and regulations on cargo flow at ports of entry.

SEC. 5. ELIGIBLE ACTIVITIES.

Under the Program, the Secretary shall—

(1) complete the advanced model;

(2) develop user-friendly advanced transportation modeling computer software and graphics packages;

(3) provide training and technical assistance with respect to the implementation and application of the advanced model to Federal agencies and to States for use in national, regional, or statewide transportation planning; and

(4) allocate funds to not more than 3 entities described in paragraph (3), representing diverse applications and geographic regions, to carry out pilot programs to demonstrate use of the advanced model for national, regional, or statewide transportation planning.

SEC. 6. FUNDING.

(a) IN GENERAL.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to carry out this Act—

(1) $6,000,000 for fiscal year 2004;

(2) $7,000,000 for fiscal year 2005;

(3) $9,000,000 for fiscal year 2006;

(4) $10,000,000 for fiscal year 2007;

(5) $10,000,000 for fiscal year 2008; and

(6) $8,000,000 for fiscal year 2009.

(b) ALLOCATION OF FUNDS.—

(1) FISCAL YEARS 2004 AND 2005.—For each of fiscal years 2004 and 2005, 100 percent of the funds made available under subsection (a) shall be used to carry out activities described in paragraphs (1), (2), and (3) of section 5.

(2) FISCAL YEARS 2006 THROUGH 2009.—For each of fiscal years 2006 through 2009, not more than 50 percent of the funds made available under subsection (a) may be used to carry out activities described in section 5(4).

(c) CONTRACT AUTHORITY.—Funds authorized under this section shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of—

(1) any activity described in paragraph (1), (2), or (3) of section 5 shall be 100 percent; and

(2) any activity described in section 5(4) shall not exceed 80 percent.

(d) AVAILABILITY OF FUNDS.—Funds made available under this section shall be available to the Secretary through the Transportation Planning, Research, and Development Account of the Office of the Secretary of Transportation.

By Ms. SNOWE (for herself and Mr. DURBIN):

S. 2647. A bill to require that activities carried out by the United States in Afghanistan relating to governance, reconstruction and development, and refugee relief and assistance will support the basic human rights of women and women's participation and leadership in these areas; to the Committee on Foreign Relations.

Ms. SNOWE. Mr. President, I rise today to introduce a bill for myself and Senator DURBIN that would ensure that U.S. funded activities in Afghanistan support the basic human rights of women and women's participation and leadership in all areas of society, development, and governance. Importantly, it also specifies that direct aid should be targeted to the Ministry of Women's Affairs, which will play a critical role in the new government.

Women in Afghanistan have made significant progress since the Taliban was removed from power last year, but there is still a long way to go before women are restored to the place they held in society and government before the Taliban took power in 1996.

As I told Chairman Karzai when I visited the country in February, if he is truly to restore the people's faith and confidence in the Afghan government, women cannot be excluded from the reconstruction process. The recent loya jirga did make some strides in the right direction. Eleven percent of the participants were women, although only 20 of the 180 total women were elected—with the rest being appointed. Also, the Minister of the Women's Affairs Ministry, Sima Simar, was one of the two Deputy Chairs of the loya jirga. Yet, clearly, much remains to be done before Afghan women will fully rebuild their health, their education, their welfare, their security, and their self-dignity.

Before the Taliban, Afghan women enjoyed both stature and freedom. In fact, many Americans may be unaware that Afghan women were not only well educated, they constituted 70 percent of the nation's school teachers, half the government's civilian workers, and 40 percent of the doctors in the hospital.

We are all now aware that with the rise of the Taliban, the lives of Afghan women dramatically changed. Women were banished from the workforce. They were not allowed to earn an living or to support themselves or their family, even if they were the sole family breadwinner. Tens of thousands of women widowed by decades of war had no option to provide for their families. Many turned to begging and prostitution.

Girls could not attend school and women were expelled from universities. In fact, incredibly, women were prohibited from even leaving their homes at all unless accompanied by a close male relative, even in the event of a medical emergency for themselves or their children. These women were under house arrest, prisoners in their own home.

And, if that wasn't bad enough, they were prisoners within themselves. The Taliban went to great and inhumane lengths to strip women of their sense of pride and personhood. Afghan women were forced to wear a burqa, a head to toe covering, to make them invisible to the world. And for those who dared tread upon or flout these laws, penalties for violations of Taliban law ranged from beatings to public floggings and executions—all state sanctioned.

Of course, the Taliban is gone now. Women are slowly returning to school and to work. They are beginning to return to their homes from refugee camps. Some are even taking part in the new Afghan government. But problems still exist.

Afghan women still make up 75 percent or more of the refugees and internally displaced in camps, urban areas, and villages. Afghan women still do not have access to sufficient primary health care services, including pre- and postnatal care, leading to one of the highest maternal mortality rates in the world. And it is believed that more than 90 percent of Afghan women are illiterate, which disqualifies them from participation in government.

Every member of society has a role to play in rebuilding, and the role of women is especially important. Throughout Afghanistan's years of war, it was women who were responsible for food, shelter, and other basic human needs. Now, during Afghanistan's massive redevelopment, impowering women is critical to improving education, primary health, and overall development. Women must be taught the skills they need and be given access to the necessary resources to take control of their own lives and in turn foster full redevelopment of their country.

The United States has been a leader in assisting Afghanistan, in fact, the

United States is the largest single provider of assistance to the Afghan people, making substantial contributions to emergency relief and humanitarian efforts. While we have done much for Afghanistan, completing our mission there will require more. Strong and continued support from the United States will ensure that the advances made by Afghan women since the fall of the Taliban will continue and grow, rather than recede.

By requiring that United States assistance funds to Afghanistan promote access for Afghan women to health, education, development, governance, and security, this bill will help ensure the prosperity and human rights of all Afghan people. As I've said repeatedly, we are absolutely right to help Afghanistan build for the future, because as we've discovered, we cannot hope for security here until we lay the groundwork for stability there. And we cannot have true stability there if women are left out of the equation.

This bill directs that assistance go to support the Ministry of Women and Children's Affairs, an important new ministry that is essential for reestablishing women's human rights, ensuring that women are included in all development efforts, and delivering critical legal, health, education, and economic services to women throughout Afghanistan.

The bill also calls for a portion of United States development, humanitarian and relief assistance to be channeled to local Afghan organizations so that these organizations, with an already developed expertise, can achieve results quickly as time is of the essence. Local women's organizations are delivering critical services and have the knowledge and experience to assist the United States in delivering effective relief aid. These groups need our support.

The bill also directs financial assistance to build a health infrastructure to deliver high-quality comprehensive health care programs, and an education infrastructure for primary through higher education for Afghan girls and boys, vocational training for women and men, and retraining for former combatants. Education is the heart of progress and nowhere is this more critical than in Afghanistan.

Finally, the bill ensures that all United States training of the new Afghan police and security forces include training on the protection of human rights, especially for women, whose rights have been violated for so long. This must end and training for this will give the new authorities the training and knowledge to help stop it.

The potential for prosperity in Afghanistan will only be realized when, as in the United States, both men and women have an opportunity to participate and contribute. That is what this bill is all about, ensuring that women have the access needed to participate and contribute in all aspects of rebuilding their country.

I urge my colleagues to support this legislation.

By Mr. HUTCHINSON (for himself, Mr. SESSIONS, Mr. INHOFE, Mr. FRIST, Mr. LOTT, Mr. KYL, Mr. GRAMM, and Mr. THOMAS):

S. 2648. A bill to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care, and for other purposes; to the Committee on Finance.

Mr. HUTCHINSON. Mr. President, I am pleased to rise today with my colleague from Alabama, Senator SESSIONS, to introduce the Personal Responsibility, Work and Family Promotion Act of 2002.

This legislation is based on President Bush's plan to strengthen welfare reform, and on the bill already passed by the House of Representatives over one month ago.

The 1996 welfare reform law expires this year, and it is important that the Senate work quickly to strengthen one of the most successful reforms we have seen in decades. The results are clear: Welfare reform has been enormously successful. According to the U.S. Census Bureau, from 1996 to 2000, the number of mothers participating in TANF, Temporary Assistance to Needy Families, decreased by about 50 percent; 2.3 million fewer children live in poverty today than in 1996, Heritage Foundation. The poverty rate for African-American children has fallen to the lowest point in U.S. history. Employment of young single mother has nearly doubled, and employment of single mothers who are high-school dropouts has risen by two-thirds. And this, amidst arguments made in 1996 that this law would seen millions of people into poverty.

While this is good news, and shows the importance or reforms enacted in 1996, we will have work to do. Significant numbers of welfare recipients are still not employed and on their way to self-sufficiency. That is why I am here today. I join with Senator SESSIONS to introduce the President's welfare reform plan.

This legislation maintains the important features of the 1996 welfare reform law. It emphasizes the themes of work, State flexibility, marriage, and child well-being. Our goal for every family on welfare is to lead them to self-sufficiency.

While States have made great improvements in moving recipients to work, much more needs to be done. This legislation requires that each welfare recipient would have an individual plan devised for them that maps out their plan to self-sufficiency. Recognizing that everyone has different barriers in gaining employment, these individual plans would address the specific needs of each individual and provide opportunities for meaningful activity.

Recipients would be required to participate in activities for 40 hours per week, simulating the work week of the typical American. This 40 hours is composed of 24 hours of actual work, and 16 hours of work-related activities, such as job search, training, education, drug treatment, marriage and relationship counseling, and parenting education. And states are required to increase their work participation rates with modest increases each year. By 2007, States must have 70 percent of recipients participating in work.

We have added an important provision in this legislation to ensure that the work requirements stay strong. Due to credits that states can receive under current law, many work participation rates are effectively close to 0 percent. This bill requires that by 2007, states have 55 percent of their caseloads working, irrespective of credits that the State receives for moving recipients to work. This is an important provision that ensures that states are actually focusing on work. With the strengthening of these work requirements, we also provide significant new flexibility for states. States may apply for a new State flex program, allowing them to improve service delivery to recipients across various programs.

TANF is not the only program that benefits low-income persons. Food stamps, workforce investment programs, Federal housing programs, and adult education programs all serve similar populations, yet program requirements are often different. The differences in the administration of these programs often deters caseworkers and recipients from knowing about all the programs available to them. This state flex program would allow a state to apply to the appropriate Cabinet secretaries for approval. States must continue to serve the same general population, but they could devise a more cohesive approach to delivery of services and program eligibility. Waivers could only be granted to proposals that are likely to improve the quality of the programs involved, and states must have specific objectives in their proposal. Regular reporting to Congress is included to maintain proper oversight. This new flexibility will provide a real opportunity to serve low-income populations seamlessly and without conflicting and cumbersome program requirements.

This bill also provides a modest new investment in supporting healthy marriage. A child born and raised outside of marriage will spend an average of 51 percent of his childhood in poverty. However, a child born and raised by both parents in an intact marriage will spend only 7 percent of his childhood in poverty.

While one of the goals of welfare reform is to encourage the formation and maintenance of two-parent families, this issue has gone largely unaddressed. This legislation authorizes $200 million in federal funding to reverse the trend of out-of-wedlock births. States may use funds for various purposes, including marital preparation programs, high school courses

about the benefits of healthy marriage, and relationship counseling. States will have the flexibility to use the program or programs that they determine work best for them.

Children raised by single parents are 5 times more likely to live in poverty, 2–3 times more likely to show behavioral problems, and twice as likely to commit crimes or go to jail. Marriage and family formation programs will not force anyone into marriage, but will provide people with the tools to improve their relationships, both at home, and in the working world.

Finally, important TANF funding would be maintained. Despite an unprecedented decline in the caseload, this legislation maintains TANF funding at $16.5 billion a year. In addition, the supplemental grants, which are important to my home state of Arkansas, are also reauthorized.

This legislation provides an additional $1 billion in child care funding. Mandatory funding for the Child Care and Development Block Grant would increase to almost $3 billion over the next 5 years.

While this bill increases mandatory funding for child care, I am working with my colleagues in the Senate Health, Education, Labor, and Pensions Committee to reauthorize and improve the Child Care and Development Block Grant. That process is moving forward, and I hope that these two both the TANF issues in the Finance Committee, and the child care issues in the HELP Committee, will be merged when they are considered before the full Senate.

I hope that the Finance Committee takes this legislation into consideration as they work to formulate a plan. I believe that the President's plan has strong support, as evidenced by the quick action in the House of Representatives, and I encourage my colleagues to join me in this effort to improve upon the impressive results in welfare reform that we have seen so far. More remains to be done, however, in our quest of working towards independence.

Mr. SESSIONS. Mr. President. I rise today along with my colleague, Senator HUTCHINSON, to introduce legislation to reauthorize the 1996 welfare reform law. Based on the President's welfare improvement initiatives, including promoting independence through work, State innovation and promoting health marriage and family foundation, this bill builds upon the success of the 1996 welfare reforms. Since Congress passed welfare reform in 1996, welfare rolls have fallen dramatically. Poverty has declined across all categories. Child hunger has declined. More single mothers are employed and their income is still increasing. Out-of-wedlock births have begun to level off. And more children are growing up in married households. By tying welfare to work, the 1996 reforms succeeded in making people self-sufficient and independent. Yet there is still more that needs to be done.

Our bill will continue to promote independence through work by gradually increasing the work participation standards and allowing workers to use up to 16 hours a week for activities to prepare them for the workforce including education and training, substance abuse treatment, and job readiness assistance. These 16 hours will enable welfare recipients to not only find employment, but to open up opportunities to become independent and self-sufficient.

States need the resources and the flexibility that will allow them to continue to help families leave welfare for work. This legislation will implement the President's ''state flexibility waivers'' which allow states to integrate anti-poverty programs from different federal departments.

Senator HUTCHINSON and I, as members of the Senate Health, Education, Labor, and Pensions Committee will continue to work with our colleagues to develop meaningful and comprehensive child care legislation to complement the welfare reform bill. I believe that we must work hard to create child care programs that focus on school readiness and an end to the welfare cycle.

Part of this legislation includes $200 million in grants to states for marriage promotion. One of President Bush's top priorities this year has been to remove the financial penalties against marriage within the welfare system and to provide services and supports to couples who choose marriage for themselves. Our bill will assist them in acquiring the knowledge and skills necessary to form and sustain healthy, loving and protective marriages. Study after study has shown the unquestionable benefits marriage has on our society.

I look forward to working with my colleagues to passing meaningful welfare reform legislation that continues to improve upon the welfare reforms of 1996 and gives states the resources and flexibility they need to help families become stronger and more self-sufficient. I thank my colleague from Arkansas, Senator HUTCHINSON for his work and dedication to welfare reform, and I thank President Bush for his vision and his dedication to getting this done.

By Mr. KENNEDY (for himself and Mr. FRIST):

S. 2649. A bill to provide assistance to combat the HIV/AIDS pandemic in developing foreign countries; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, I am pleased to join Senator FRIST in introducing this important legislation to help in the international battle against the AIDS pandemic. AIDS is the fourth leading cause of death in the world. This disease ends lives, destroy families, undermines economies, and threatens the stability and progress of entire nations.

We in America know the pain and loss that this disease cruelly inflicts. Millions of our fellow citizens, men, women, and children, are inflected with HIV/AIDS, and far too many have lost their lives.

While we still seek a cure to AIDS, we have learned to help those infected by the virus to lead long and productive lives through the miracle of prescription drugs.

But this disease knows no boundaries. It travels across borders to infect innocent people in every continent across the globe.

We have an obligation to continue the fight against this disease at home. But we should also share what we have learned to help those in other countries in this life-and-death battle. And we must do all we can to provide new resources to help those who cannot afford today's therapies.

We must carry the fight against AIDS to every corner of the globe, and the legislation that I am introducing with Senator FRIST today is a step in that direction.

The International AIDS Treatment and Prevention Act provides new legal authority and funding to our Nation's strongest health care agencies to join the global battle against AIDS. It promotes models of community-based care that reach the real people affected by this disease; better access to the research and therapies needed to prevent transmission of this deadly disease; and most importantly, funds research and treatment models to prevent transmission of HIV/AIDS from mothers to their infants including the family support services necessary to stem the orphan crisis.

Governments can make the difference in battling this epidemic. When governments in poor countries have been provided resources to fight the spread of AIDS, infection rates have dropped 80 percent. With this legislation, the United States will do its part to support countries to turn the corner of AIDS on their own.

I am pleased that the administration is increasing funding for the fight against the global AIDS epidemic, and together with this legislation, we can truly lead the international community in the fight against the greatest public health threat of our times.

Mr. FRIST. Mr. President, I am pleased to join Senator KENNEDY today to introduce the International AIDS Treatment and Prevention Act. This legislation is another important bipartisan step in our global battle against AIDS and other infectious diseases. The international crisis of HIV/AIDS, tuberculosis, and malaria threatens the entire world. We have done much here at home through Ryan White and other programs. We must show we can lead the world against these scourges as well. This morning, President Bush again underscored this administration's commitment, and his personal commitment, to reducing the spread of

HIV/AIDS and demonstrating consistent, compassionate U.S. leadership in this global struggle.

When I first came to the Senate eight years ago, HIV/AIDS was a little understood or recognized problem. In that time I have traveled far from the Senate floor. I have been on seven different medical mission trips to Africa, most recently, in January, to Uganda, Kenya and Tanzania.

The trips have helped reveal to me the impact that one single virus—HIV—is having on the destruction of a continent. Not a family. Not a community. Not a State. Not a country. An entire continent.

The statistics of this plague are shocking. Each year, three million people die of AIDS, one every ten seconds. Twice that many, 5.5 million—or two every ten seconds—become infected. That is 15,000 people a day. Even more tragically, 6,000 of those infected each day are between the ages of 15 and 24. Ninety percent of those infected do not know they have the disease. There is no cure. There is no vaccine. And the number of people infected is growing dramatically.

The disease toll is incalculable. Thirteen million children have been orphaned by AIDS. Over the next ten years, the orphan population may well grow to 40 million equivalent to the number of American children living east of the Mississippi River. I had the privilege of visiting with Tabu, a 28-year-old prostitute, who was leaving Arusha to return to her village to die. She stayed an extra day to meet with us. I will never forget her cheerful demeanor and mischievous smile as we met in her small stick-framed mud hut, no more than 12 feet by 12 feet. Her two sisters are also infected; a third sister has already died. Tabu will leave behind an eleven-year-old daughter, Adija.

Not only do HIV/AIDS, tuberculosis, and malaria produce over 50 percent of the deaths due to infectious diseases each year, they have complex disease patterns that result in facilitating each other's spread. By weakening the immune system, infection with HIV increases susceptibility to both tuberculosis and malaria. Furthermore, the increasing number of multi-resistant tuberculosis cases is largely attributed to resistance developed in HIV-infected patients. Finally, in treating severe anemia that commonly accompanies illness due to malaria, untested blood transfusions create a method of HIV/AIDS spread.

At home in Tennessee, or even here in Washington, DC, Uganda and Tanzania feel very far away. But the plague of HIV/AIDS and the chaos, despair and civil disorder it perpetrates only undermines the chance for democracy to flourish. Without civil institutions, there is disorder.

Last year in South Africa, one of every 200 teachers died of AIDS. In a recent study in Kenya, 75 percent of deaths on the police force were AIDS-related. HIV-related deaths among hospital workers in Zambia have increased 13 fold in the last decade. These losses devastate local economies. Botswana's economy will shrink by 30 percent in ten years; Kenya's by 15 percent. Family incomes in the Ivory Coast have declined by 50 percent, while health care expenditures have risen by 4000 percent.

Africa has lost an entire generation. In Nairobi, Kenya, I visited the Kibera slum. With a population of over 750,000, one out of five of those who live in Kibera are HIV/AIDS positive. As I walked the crowded pathways sandwiched between hundreds of thousands of aluminum shanties, I was amazed that there were only children or elderly individuals. The disease had wiped out the parents the most productive segment of the population teachers, military personnel, hospital workers, and law enforcement officers. African orphans therefore lack teachers, role models and leaders. This leaves them vulnerable to criminal organizations, revolutionary militias, and terrorists. Terrorism and crime could become a way of life for a young generation.

Africa is not alone. India, with over 4 million cases of HIV/AIDS, is on the edge of explosive growth. China is estimated to have as many as 10 million infected persons. The Caribbean suffers from one of the highest rates of infection of any region in the world. Eastern Europe and Russia report the fastest growth of AIDS cases. These nations are the next generation in the AIDS crisis they present an opportunity for intervention and success if we act quickly and decisively.

Due to the social, economic and political destructive effects of this disease, I'm devoting much of my time to this issue, and in particular, to the impact of HIV/AIDS in Africa. Just as our great nation is the leader in the war on terrorism, we must continue to lead the fight against AIDS in order to build a better, safer world.

There is perhaps no greater global issue than the spread of deadly infectious disease. As President Bush said today, the United States must lead the fight in this international crises. We must now provide the leadership to confront the global HIV/AIDS, malaria, and tuberculosis epidemics. History will record how we respond to the call.

We fight this battle in two ways: by improving primary prevention and expanding access to treatment. Until science produces a vaccine, prevention through behavioral change and awareness is the key. And once again, cultural stigmas must be overcome. Through a combination of comprehensive national plans, donor support and community-based organizations, we can make progress. We know that prevention and treatment go hand and hand, and that the necessary infrastructure must be present in order to delivery care.

I have already introduced legislation with Senator KERRY—the U.S. Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2002. This act would direct the President to work with foreign governments, the United Nations (UN), the World Bank, and the private sector to establish the Global AIDS and Health Fund to fight HIV/AIDS, malaria, and tuberculosis. This fund would provide grants to governments and non-governmental organizations for implementation of effective and affordable HIV/AIDS, malaria, and tuberculosis programs. Additionally, this legislation requires a comprehensive American strategy for combating these infectious diseases, enhances programs targeted toward empowering women, links debt relief to implementation of health programs, extends military to military prevention activities and establishes an incentive program for American clinicians to provide their expertise abroad.

The legislation I am introducing today with Senator KENNEDY and others is a companion to the Foreign Relations bill. This bill codifies and expands current authorities of the Department of Health and Human Services, HHS, to participate in appropriate HIV/AIDS prevention, treatment, care, and support activities in resource poor nations that are experiencing an HIV/AIDS crisis. Coupled with S. 2525, the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2002, this legislation would provide a better coordinated, enhanced U.S. response to the global pandemic of HIV/AIDS.

Under The International AIDS Treatment and Prevention Act of 2002, the Secretary of Health and Human Services is authorized to implement HIV, tuberculosis, and malaria prevention, treatment, care and support services principally through the Centers for Disease Control and Prevention and, where appropriate, with the assistance and technical expertise of the Health Resources and Services Administration, (HRSA) the Food and Drug Administration, and the National Institutes of Health (NIH). The Secretary is also granted the authority to alter or renovate facilities in foreign countries as is necessary to conduct programs for international health activities and to establish family survival partnership grants for the provision of medical care and support to HIV positive parents and their children.

This legislation, coupled with the S. 2525, represents an important step forward in our response to HIV/AIDS, tuberculosis, and malaria. History will judge how we as a nation—how we as a global community—address and respond to this most devastating and destructive public health crisis we have seen since the bubonic plague ravaged Europe over 600 years ago.

The task looms large, but by uniting with leadership and dedication from all—we will succeed in counteracting the devastation of HIV/AIDS and stop its advance.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 288—EXPRESSING THE SENSE OF THE SENATE THAT NEW HAMPSHIRE RESIDENTS KEN CURRAN AND GEORGE McAVOY BE HONORED FOR THEIR INITIATIVE ON BEHALF OF THE TAXPAYER AND THE ENVIRONMENT IN THE CONSTRUCTION OF THE MOORE RESERVOIR CAUSEWAY IN LITTLETON, NEW HAMPSHIRE

Mr. SMITH of New Hampshire submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 288

Whereas Ken Curran and George McAvoy have given a lifetime of service to the town of Littleton and the State of New Hampshire through both private and public service;

Whereas Mr. Curran and Mr. McAvoy, as private citizens, suggested the construction of a causeway in lieu of a costly bridge over the Moore Reservoir;

Whereas Mr. Curran and Mr. McAvoy, on their own time and using their own money, defeated construction of an expensive and unnecessary Interstate Route 93 bridge at Pattenville Draw near Littleton, New Hampshire;

Whereas Mr. Curran went out of his way to hire an engineer, develop plans for a new Interstate Route 93 crossing, and submit those plans to the State highway division in an effort to build the causeway;

Whereas after years of debate, a causeway was finally selected with a winning bid of only $4,300,000, far less expensive than the original $20,000,000 to $25,000,000 estimate for a dual bridge;

Whereas the New Hampshire Division of Public Works and Highways estimates that, as a result of Mr. Curran's and Mr. McAvoy's efforts, the total final savings to taxpayers was more than $12,600,000; and

Whereas the great State of New Hampshire has recently designated the Interstate Route 93 causeway at Moore Dam in Littleton as the ''Curran/McAvoy Causeway'': Now, therefore, be it

Resolved, That

SECTION 1. COMMENDATION.

The Senate commends Mr. Ken Curran and Mr. George McAvoy for their exemplary service on behalf of the taxpayers of New Hampshire and the United States in the construction of the Interstate Route 93 causeway at Moore Dam in Littleton, New Hampshire.

SEC. 2. TRANSMISSION OF RESOLUTION.

The Secretary of the Senate shall transmit a copy of this resolution to Mr. Curran and Mr. McAvoy of Littleton, New Hampshire.

SENATE CONCURRENT RESOLUTION 122—EXPRESSING THE SENSE OF CONGRESS THAT SECURITY, RECONCILIATION, AND PROSPERITY FOR ALL CYPRIOTS CAN BE BEST ACHIEVED WITHIN THE CONTEXT OF MEMBERSHIP IN THE EUROPEAN UNION WHICH WILL PROVIDE SIGNIFICANT RIGHTS AND OBLIGATIONS FOR ALL CYPRIOTS, AND FOR OTHER PURPOSES

Ms. SNOWE (for herself, Mr. BIDEN, and Mr. SARBANES) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 122

Whereas the status quo on Cyprus remains unacceptable;

Whereas a just and lasting resolution of the Cyprus problem, on the basis of United Nations Security Council resolutions, must safeguard the security and fundamental rights of all citizens of Cyprus, Greek-Cypriots and Turkish-Cypriots alike;

Whereas Cyprus is among the leading candidate countries for accession to the European Union, in recognition of its commitment to free markets, human rights, democracy, and the rule of law;

Whereas the European Union guarantees to all its citizens the indivisible universal values of human dignity (supporting fair and equal treatment of all), freedom (right to security, marriage, family, among others), equality (celebrating cultural, religious, and linguistic diversity), solidarity (protecting workers' rights and providing social security), citizens' rights (voting), and justice (holding a fair trial);

Whereas membership in the European Union will guarantee each citizen of Cyprus important legal, civil, and human rights, as well as the means and legal recourse necessary to secure the full application of these fundamental individual rights, and to promote the respect of cultural diversity and traditions;

Whereas membership in the European Union will bring significant benefits to both the Greek-Cypriot and Turkish-Cypriot communities, including new economic opportunities, access to new markets, a freer exchange of goods and services, balanced and sustainable development as well as the free movement of persons, goods, and services and capital;

Whereas the European Council in its Summit Conclusions of December 1999, in Helsinki, stated that ''a political settlement [of the Cyprus problem] will facilitate the accession of Cyprus to the European Union . . . [i]f no settlement has been reached by the completion of accession negotiations, the Council's decision on accession will be made without the above being a precondition'';

Whereas both the United States and the European Union in their summit statement on the New Transatlantic Agenda of June 14, 2001, pledge to continue to work together to support the efforts of the United Nations Secretary General to achieve a comprehensive settlement with respect to Cyprus consistent with relevant United Nations Security Council resolutions and to continue to work toward the resumption of talks;

Whereas resolution of the Cyprus problem is in the strategic interests of the United States, given the important location of Cyprus at the crossroads of Europe, Africa, and Asia; and

Whereas resolution of the Cyprus problem is also consistent with American values, as enshrined in the rights guaranteed by the Constitution of the United States, which guarantees the right to life, liberty, and the pursuit of happiness: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) the unacceptable status quo on Cyprus must be ended and the island and its people be reunited, in a bizonal, bicommunal federal Cyprus, on the basis of United Nations Security Council resolutions;

(2) the accession of Cyprus to the European Union would act as a catalyst for the solution of the Cyprus problem without the latter being a precondition for accession;

(3) membership of Cyprus to the European Union should be strongly supported;

(4) all Cypriots be urged to support and encourage efforts to bring Cyprus into the European Union; and

(5) the various agencies of the United States Government should pursue vigorously and as an issue of high and urgent priority new initiatives that will help promote and achieve reunification, reconciliation, stability, and prosperity on Cyprus.

Ms. SNOWE. Mr. President, I rise today to submit a resolution for myself and Senators BIDEN and SARBANES expressing support for Cyprus' membership to the European Union, EU.

After 27 years Cyprus remains a divided nation. As it works to complete final negotiations with the EU, Cyprus will have met all the criteria required of an EU member nation. It is expected that an official invitation for membership will come this December, with accession in 2004. As an EU member, the entire island of Cyprus will see economic benefits. As long as the Turkish-Cypriots recognize this fact, both they and Greek-Cypriots will be on the path towards further economic growth and integration with Europe. All Cypriots will have access to new markets, a freer exchange of goods and services, balanced and sustainable development as well as the free movement of persons, goods and services, and capital. But EU membership is not only about economic prosperity, it is also about human rights. The EU guarantees its members' citizens human, legal and civil rights as well as the means and legal recourse necessary to secure the full application of these fundamental individual rights.

Last year Congressman BILIRAKIS introduced this legislation in the House of Representatives to show that body's support for Cyprus' accession to the EU. We are introducing this legislation today to put the Senate on record as well. Since January, Cypriot President Clerides and Turkish-Cypriot leader Denktash have been meeting in direct talks to seek a resolution of the division of Cyprus. Although the fact that these meetings are taking place is a positive sign, a solution must not be a precondition to EU membership. In fact, the EU Council made this point in the Helsinki Summit in December 1999, when it stated that ''a political settlement will facilitate the accession of Cyprus to the European Union . . . [i]f no settlement has been reached by the completion on accession negotiations, the Council's decision on accession will be made without the above being a precondition''.

Cyprus' EU membership will be, and has been, a catalyst for the solution of the Cyprus problem. This fact is reflected in the almost 40 direct meetings between President Clerides and Denktash have taken place so far this year. If it were not for Turkey's desire to be an EU member, knowing that other EU members could block this goal, it is questionable whether these talks would even be taking place. That, along with improved economic prosperity and guaranteed human rights, is

why it is vital that the Senate go on record as supporting Cyprus' EU membership.

I urge my colleagues to support this resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3897. Mr. GRASSLEY (for himself, Mr. HARKIN, Mr. SPECTER, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

SA 3898. Mr. THURMOND (for himself, Mr. LOTT, Mr. BOND, Mr. INOUYE, Mr. CLELAND, Mr. HUTCHINSON, Mr. MCCAIN, Mr. LUGAR, Mr. REID, Mr. SESSIONS, Mrs. HUTCHISON, Mr. DEWINE, Ms. LANDRIEU, Mr. LIEBERMAN, Mr. SHELBY, Ms. COLLINS, Mr. BREAUX, Mr. DODD, Mr. JOHNSON, Mr. ALLEN, Mr. BENNETT, Mr. BINGAMAN, Mrs. CARNAHAN, Mr. CRAPO, Mr. ENSIGN, Mr. HELMS, Mr. INHOFE, Mr. JEFFORDS, Mr. KERRY, Mrs. LINCOLN, Mrs. MURRAY, Ms. SNOWE, Mr. TORRICELLI, Ms. CANTWELL, Mr. BUNNING, Mr. DURBIN, and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3899. Mr. LEVIN proposed an amendment to the bill S. 2514, supra.

SA 3900. Mr. WARNER proposed an amendment to amendment SA 3899 proposed by Mr. LEVIN to the bill (S. 2514) supra.

SA 3901. Mr. COCHRAN (for himself and Mr. LOTT) submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3902. Mr. COCHRAN (for himself and Mr. LOTT) submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3903. Mr. COCHRAN (for himself and Mr. LOTT) submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3904. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3905. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3906. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3907. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3908. Mr. WYDEN (for himself and Mr. SMITH, of Oregon) submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3909. Mr. HUTCHINSON submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3910. Ms. SNOWE (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3911. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3912. Mr. LEVIN (for himself, Mr. WARNER, Mr. MCCAIN, Mr. BIDEN, Ms. CANTWELL, Ms. MIKULSKI, Ms. LANDRIEU, Mrs. LINCOLN, Mr. ROCKEFELLER, Mr. HAGEL, Mr. JOHNSON, Ms. COLLINS, and Ms. STABENOW) proposed an amendment to the bill S. 2514, supra.

SA 3913. Mr. GRASSLEY (for himself, Mr. HARKIN, Mrs. CLINTON, Mr. SCHUMER, Mr. DURBIN, Mr. FITZGERALD, Mrs. LINCOLN, and Mr. HUTCHINSON) submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3914. Mr. FRIST (for himself and Mr. THOMPSON) submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3915. Mr. FEINGOLD (for himself and Mr. WELLSTONE) proposed an amendment to the bill S. 2514, supra.

SA 3916. Mr. REID (for Mr. CONRAD (for himself and Mr. FEINGOLD)) proposed an amendment to amendment SA 3915 proposed by Mr. FEINGOLD (for himself and Mr. WELLSTONE) to the bill (S. 2514) supra.

TEXT OF AMENDMENTS

SA 3987. Mr. GRASSLEY (for himself, Mr. HARKIN, Mr. SPECTER, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table as follows:

At the end of subtitle E of title X, add the following:

SEC. 1065. NATIONAL GUARD COUNTERDRUG SCHOOLS.

(a) AUTHORITY TO OPERATE.—Under such regulations as the Secretary of Defense may prescribe, the Chief of the National Guard Bureau may establish and operate, or provide financial assistance to the States to establish and operate, not more than five schools (to be known generally as ''National Guard counterdrug schools''). The purpose of such schools shall be the provision by the National Guard of training in drug interdiction and counter-drug activities, drug demand reduction activities, and counterterroism activities to personnel of the following:

(1) Federal agencies.

(2) State and local law enforcement agencies.

(3) Community-based organizations engaged in such activities.

(4) Other non-Federal governmental and private entities and organizations engaged in such activities.

(b) COUNTERDRUG SCHOOLS SPECIFIED.—The National Guard counterdrug schools operated under the authority in subsection (a) are as follows:

(1) The National Interagency Civil-Military Institute (NICI), San Luis Obispo, California.

(2) The Multi-Jurisdictional Counterdrug Task Force Training (MCTFT), St. Petersburg, Florida.

(3) The Midwest Counterdrug Training Center (MCTC), to be established in Johnston, Iowa.

(4) The Regional Counterdrug Training Academy (RCTA), Meridian, Mississippi.

(5) The Northeast Regional Counterdrug Training Center (NCTC), Fort Indiantown Gap, Pennsylvania.

(c) USE OF NATIONAL GUARD PERSONNEL.—(1) To the extent provided for in the State drug interdiction and counter-drug activities plan of a State in which a National Guard counterdrug school is located, personnel of the National Guard of that State who are ordered to perform full-time National Guard duty authorized under section 112(b) of that title 32, United States Code, may provide training referred to in subsection (a) at that school.

(2) In this subsection, the term ''State drug interdiction and counter-drug activities plan'', in the case of a State, means the current plan submitted by the Governor of the State to the Secretary of Defense under section 112 of title 32, United States Code.

(d) TREATMENT UNDER AUTHORITY TO PROVIDE COUNTERDRUG SUPPORT.—The provisions of section 1004 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510), as amended by section 1021 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1212), shall apply to any activities of a National Guard counterdrug school under this section that are for an agency referred to in subsection (a) and for a purpose set forth in subsection (b) of such section 1004. Such provisions of section 1004 shall not preclude training of counterterrorism activities.

(e) ANNUAL REPORTS ON ACTIVITIES.—(1) Not later than February 1, 2003, and annually thereafter, the Secretary of Defense shall submit to Congress a report on the activities of the National Guard counterdrug schools.

(2) Each report under paragraph (1) shall set forth the following:

(A) The amount made available for each National Guard counterdrug school during the fiscal year ending in the year preceding the year in which such report is submitted.

(B) A description of the activities of each National Guard counterdrug school during the year preceding the year in which such report is submitted.

(3) The report under paragraph (1) in 2003 shall set forth, in addition to the matters described in paragraph (2), a description of the activities relating to the establishment of the Midwest Counterdrug Training Center in Johnston, Iowa.

(f) AUTHORIZATION OF APPROPRIATIONS.—(1) There is hereby authorized to be appropriated for the Department of Defense for the National Guard for fiscal year 2003, $25,000,000 for purposes of the National Guard counterdrug schools in that fiscal year.

(2) The amount authorized to be appropriated by paragraph (1) is in addition to any other amount authorized to be appropriated for the Department of Defense for the National Guard for fiscal year 2003.

(g) AVAILABILITY OF FUNDS.—(1) Of the amount authorized to be appropriated by subsection (f)(1)—

(A) $4,000,000 shall be available for the National Interagency Civil-Military Institute, San Luis Obispo, California;

(B) $8,000,000 shall be available for the Multi-Jurisdictional Counterdrug Task Force Training, St. Petersburg, Florida;

(C) $3,000,000 shall be available for the Midwest Counterdrug Training Center, Johnston, Iowa;

(D) $5,000,000 shall be available for the Regional Counterdrug Training Academy, Meridian, Mississippi; and

(E) $5,000,000 shall be available for the Northeast Regional Counterdrug Training Center, Fort Indiantown Gap, Pennsylvania.

(2) Amounts available under paragraph (1) shall remain available until expended.

(h) FUNDING FOR FISCAL YEARS AFTER FISCAL YEAR 2003.—(1) The budget of the President that is submitted to Congress under section 1105 of title 31, United States Code,

for any fiscal year after fiscal year 2003 shall set forth as a separate budget item the amount requested for such fiscal year for the National Guard counterdrug schools.

(2) It is the sense of Congress that—

(A) the amount authorized to appropriated for the National Guard counterdrug schools for any fiscal year after fiscal year 2003 should not be less than the amount authorized to be appropriated for those schools for fiscal year 2003 by subsection (f)(1), in constant fiscal year 2003 dollars; and

(B) the amount made available to each National Guard counterdrug school for any fiscal year after fiscal year 2003 should not be less than the amount made available for such school for fiscal year 2003 by subsection (g)(1), in constant fiscal year 2003 dollars, except that the amount made available for the Midwest Counterdrug Training School should not be less than $5,000,000, in constant fiscal year 2003 dollars.

SA 3898. Mr. THURMOND (for himself, Mr. LOTT, Mr. BOND, Mr. INOUYE, Mr. CLELAND, Mr. HUTCHINSON, Mr. MCCAIN, Mr. LUGAR, Mr. REID, Mr. SESSIONS, Mrs. HUTCHISON, Mr. DEWINE, Ms. LANDRIEU, Mr. LIEBERMAN, Mr. SHELBY, Ms. COLLINS, Mr. BREAUX, Mr. DODD, Mr. JOHNSON, Mr. ALLEN, Mr. BENNETT, Mr. BINGAMAN, Mrs. CARNAHAN, Mr. CRAPO, Mr. ENSIGN, Mr. HELMS, Mr. INHOFE, Mr. JEFFORDS, Mr. KERRY, Mrs. LINCOLN, Mrs. MURRAY, Ms. SNOWE, Mr. TORRICELLI, Ms. CANTWELL, Mr. BUNNING, Mr. DURBIN, and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 644. COMPUTATION OF SURVIVOR BENEFITS.

(a) INCREASED BASIC ANNUITY.—(1) Subsection (a)(1)(B)(i) of section 1451 of title 10, United States Code, is amended by striking ''35 percent of the base amount.'' and inserting ''the product of the base amount and the percent applicable for the month. The percent applicable for a month is 35 percent for months beginning on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2003, 40 percent for months beginning after such date and before October 2006, and 45 percent for months beginning after September 2006.''.

(2) Subsection (a)(2)(B)(i)(I) of such section is amended by striking ''35 percent'' and inserting ''the percent specified under subsection (a)(1)(B)(i) as being applicable for the month''.

(3) Subsection (c)(1)(B)(i) of such section is amended—

(A) by striking ''35 percent'' and inserting ''the applicable percent''; and

(B) by adding at the end the following: ''The percent applicable for a month under the preceding sentence is the percent specified under subsection (a)(1)(B)(i) as being applicable for the month.''.

(4) The heading for subsection (d)(2)(A) of such section is amended to read as follows: ''COMPUTATION OF ANNUITY.—''.

(b) ADJUSTED SUPPLEMENTAL ANNUITY.—Section 1457(b) of title 10, United States Code, is amended—

(1) by striking ''5, 10, 15, or 20 percent'' and inserting ''the applicable percent''; and

(2) by inserting after the first sentence the following: ''The percent used for the computation shall be an even multiple of 5 percent and, whatever the percent specified in the election, may not exceed 20 percent for months beginning on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2003, 15 percent for months beginning after that date and before October 2006, and 10 percent for months beginning after September 2006.''.

(c) RECOMPUTATION OF ANNUITIES.—(1) Effective on the first day of each month referred to in paragraph (2)—

(A) each annuity under section 1450 of title 10, United States Code, that commenced before that month, is computed under a provision of section 1451 of that title amended by subsection (a), and is payable for that month shall be recomputed so as to be equal to the amount that would be in effect if the percent applicable for that month under that provision, as so amended, had been used for the initial computation of the annuity; and

(B) each supplemental survivor annuity under section 1457 of such title that commenced before that month and is payable for that month shall be recomputed so as to be equal to the amount that would be in effect if the percent applicable for that month under that section, as amended by this section, had been used for the initial computation of the supplemental survivor annuity.

(2) The requirements for recomputation of annuities under paragraph (1) apply with respect to the following months:

(A) The first month that begins after the date of the enactment of this Act.

(B) October 2006.

(d) RECOMPUTATION OF RETIRED PAY REDUCTIONS FOR SUPPLEMENTAL SURVIVOR ANNUITIES.—The Secretary of Defense shall take such actions as are necessitated by the amendments made by subsection (b) and the requirements of subsection (c)(1)(B) to ensure that the reductions in retired pay under section 1460 of title 10, United States Code, are adjusted to achieve the objectives set forth in subsection (b) of that section.

SA 3899. Mr. LEVIN proposed an amendment to the bill (S. 2514) to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 26, after line 22, add the following:

SEC. 214. REALLOCATION OF AMOUNT AVAILABLE FOR INDIRECT FIRE PROGRAMS.

(a) REDUCTION OF AMOUNT FOR CRUSADER.—Of the amount authorized to be appropriated by section 201(1) for the Army for research, development, test, and evaluation, the amount available for continued research and development of the Crusader artillery system is hereby reduced by $475,600,000.

(b) INCREASE OF AMOUNT FOR FUTURE COMBAT SYSTEMS.—Of the amount authorized to be appropriated by section 201(1) for the Army for research, development, test, and evaluation, the amount available for research and development for the Objective Force is hereby increased by $475,600,000. The amount of the increase shall be available only for meeting the needs of the Army for indirect fire capabilities, and may not be used under the authority of this section until the report required by subsection (d) is submitted to Congress in accordance with such subsection.

(c) REPROGRAMMING OF AMOUNT FOR INDIRECT FIRE PROGRAMS.—Upon the submission to Congress of the report required by subsection (d), the Secretary of Defense may seek to reprogram the amount available under subsection (b), in accordance with established procedures, only for the following purposes:

(1) Payment of costs associated with a termination, if any, of the Crusader artillery system program.

(2) Continued research and development of the Crusader artillery system.

(3) Other Army programs identified by the Secretary pursuant to subsection (d) as the best available alternative to the Crusader artillery system for providing improved indirect fire for the Army.

(d) REPORTING REQUIREMENT.—(1) Not later than 30 days after the date of the enactment of this Act, the Chief of Staff of the Army shall complete a review of the full range of Army programs that could provide improved indirect fire for the Army over the next 20 years and shall submit to the Secretary of Defense a report containing the recommendation of the Chief of Staff on which alternative for improving indirect fire for the Army is the best alternative for that purpose. The report shall also include information on each of the following funding matters:

(A) The manner in which the amount available under subsection (b) should be best invested to support the improvement of indirect fire capabilities for the Army.

(B) The manner in which the amount provided for indirect fire programs of the Army in the future-years defense program submitted to Congress with respect to the budget for fiscal year 2003 under section 221 of title 10, United States Code, should be best invested to support improved indirect fire for the Army.

(C) The manner in which the amounts described in subparagraphs (A) and (B) should be best invested to support the improvement of indirect fire capabilities for the Army in the event of a termination of the Crusader artillery system program.

(D) The portion of the amount available under subsection (b) that should be reserved for paying costs associated with a termination of the Crusader artillery system program in the event of such a termination.

(2) The Secretary of Defense shall submit the report, together with any comments and recommendations that the Secretary considers appropriate, to the congressional defense committees.

(e) ANNUAL UPDATES.—(1) The Secretary shall submit to the congressional defense committees, at the same time that the President submits the budget for a fiscal year referred to in paragraph (4) to Congress under section 1105(a) of title 31, United States Code, a report on the investments proposed to be made in indirect fire programs for the Army.

(2) If the Crusader artillery system program has been terminated by the time the annual report is submitted in conjunction with the budget for a fiscal year, the report shall—

(A) identify the amount proposed for expenditure for the Crusader artillery system program for that fiscal year in the future-years defense program that was submitted to Congress in 2002 under section 221 of title 10, United States Code; and

(B) specify—

(i) the manner in which the amount provided in that budget would be expended for improved indirect fire capabilities for the Army; and

(ii) the extent to which the expenditures in that manner would improve indirect fire capabilities for the Army.

(3) The requirement to submit an annual report under paragraph (1) shall apply with respect to budgets for fiscal years 2004, 2005, 2006, 2007, and 2008.

SA 3900. Mr. WARNER proposed an amendment to amendment SA 3899 by Mr. LEVIN to the bill (S. 2514), to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

Beginning on page 2, strike line 7 and all that follows through line 5 on page 3, and insert the following:

development for the Objective Force indirect fire systems is hereby increased by $475,600,000. The amount of the increase shall be available only for meeting the needs of the Army for indirect fire capabilities, and may not be used under the authority of this section until 30 days after the date on which the Secretary of Defense submits to the congressional defense committees the report required by subsection (d), together with a notification of the Secretary's plan to use such funds to meet the needs of the Army for indirect fire capabilities.

(c) USE OF FUNDS.—Subject to subsection (b), the Secretary of Defense may use the amount available under such subsection for any program for meeting the needs of the Army for indirect fire capabilities.

SA 3901. Mr. COCHRAN (for himself and Mr. LOTT) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

In section 2601(1)(A), strike ''$183,008,000'' and insert ''$186,588,000''.

SA 3902. Mr. COCHRAN (for himself and Mr. LOTT) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 214. RADAR POWER TECHNOLOGY FOR THE ARMY.

(a) INCREASE IN AUTHORIZATION OF APPROPRIATIONS.—The amount authorized to be appropriated by section 201(1) for the Department of Defense for research, development, test, and evaluation for the Army is hereby increased by $4,500,000, with the amount of the increase to be allocated to Army missile defense systems integration (DEM/VAL) (PE0603308A).

(b) AVAILABILITY FOR RADAR POWER TECHNOLOGY.—(1) Of the amount authorized to be appropriated by section 201(1) for the Department of Defense for research, development, test, and evaluation for the Army, as increased by subsection (a), $4,500,000 shall be available for radar power technology.

(2) The amount available under paragraph (1) for radar power technology is in addition to any other amounts available under this Act for such technology.

SA 3903. Mr. COCHRAN (for himself and Mr. LOTT) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

In subtitle C of title I, strike ''(reserved)'' and insert the following:

SEC. 121. CRUISER CONVERSION OF TICONDEROGA CLASS AEGIS CRUISERS.

(a) INCREASE IN AUTHORIZATION OF APPROPRIATIONS.—The amount authorized to be appropriated by section 102(a)(3) for procurement for the Navy for shipbuilding and conversion is hereby increased by $50,000,000.

(b) AVAILABILITY FOR CRUISER CONVERSION.—(1) Of the amount authorized to be appropriated by section 102(a)(3) for procurement for the Navy for shipbuilding and conversion, as increased by subsection (a), $50,000,000 shall be available for the cruiser conversion program for the Ticonderoga class of AEGIS cruisers.

(2) The amount available under paragraph (1) for the program referred to in that paragraph is in addition to any other amounts available under this Act for that program.

(c) CRUISER CONVERSION PROGRAM.—The Secretary of the Navy shall accelerate and maintain the scope of the cruiser conversion program for the Ticonderoga class of AEGIS cruisers such that the program—

(1) covers all 27 Ticonderoga class AEGIS cruisers; and

(2) modernizes each such cruiser to include capabilities for theater missile defense, enhanced land attack, and naval fire support.

SA 3904. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, between lines 12 and 13, insert the following:

SEC. 135. MOBILE EMERGENCY BROADBAND SYSTEM.

(a) AMOUNT FOR PROGRAM.—Of the total amount authorized to be appropriated by section 103(4), $1,000,000 shall be available for the procurement of technical communications-electronics equipment for the Mobile Emergency Broadband System.

(b) OFFSETTING REDUCTION.—Of the total amount authorized to be appropriated by section 103(4), the amount available under such section for the procurement of vehicular equipment for truck hydrant fuel is hereby reduced by $1,000,000.

SA 3905. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, line 24, increase the amount by $1,000,000.

On page 13, line 15, reduce the amount by $1,000,000.

SA 3906. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, line 2, increase the first amount by $1,000,000.

On page 14, line 20, reduce the amount by $1,000,000.

SA 3907. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 13, line 18, increase the amount by $1,000,000.

On page 13, line 15, reduce the amount by $1,000,000.

SA 3908. Mr. WYDEN (for himself and Mr. SMITH of Oregon) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 258, after line 24, insert the following:

SEC. 1065. PROHIBITION ON USE OF FUNDS FOR CONVERTING OR MOVING THE COMBAT SEARCH AND RESCUE WING OF THE AIR FORCE RESERVE LOCATED AT PORTLAND, OREGON.

None of the funds authorized to be appropriated by this Act may be used to convert the 939th Combat Search and Rescue Wing of the Air Force Reserve, based in Portland, Oregon, to an Air Refueling Wing, to transfer any of the aircraft from the 939th Combat Search and Rescue Wing out of such Wing, or to move the headquarters of such wing from Portland, Oregon, in a permanent relocation of such headquarters.

SA 3909. Mr. HUTCHINSON submitted an amendment intended to be

proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table, as follows:

Strike section 641 and insert the following:

SEC. 641. EFFECTIVE DATE OF AUTHORITY FOR CONCURRENT RECEIPT OF MILITARY RETIRED PAY AND VETERANS' DISABILITY COMPENSATION.

(a) REPEAL OF CONTINGENT EFFECTIVE DATE.—Section 1414 of title 10, United States Code, is amended—

(1) in subsection (a), by striking '', subject to the enactment of qualifying offsetting legislation as specified in subsection (f)''; and

(2) by striking subsections (e) and (f).

(b) SUBSTITUTION OF EFFECTIVE DATE.—Section 1414 of title 10, United States Code, shall apply with respect to months beginning on or after October 1, 2002.

(c) PROHIBITION OF RETROACTIVE BENEFITS.—(1) No benefit may be paid to any person by reason of section 1414 of title 10, United States Code, for any period before the date specified in subsection (b).

(2) Section 641 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1149) is amended by striking subsection (d).

(d) CONFORMING TERMINATION OF SPECIAL COMPENSATION PROGRAM.—(1) Effective on the date specified in subsection (b), section 1413 of title 10, United States Code, is repealed.

(2) Section 1413 of title 10, United States Code, is amended—

(A) in subsection (a), by striking the second sentence; and

(B) in subsection (b)—

(i) in paragraph (1), by striking ''(1) For payments'' and all that follows through ''December 2002, the following:'';

(ii) by striking paragraphs (2) and (3); and

(iii) by redesignating subparagraphs (A), (B), (C), and (D) as paragraphs (1), (2), (3), and (4), respectively, and realigning such paragraphs (as so redesignated) two ems from the left margin.

SA 3910. Ms. SNOWE (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title III, add the following:

SEC. 305. NAVY PILOT HUMAN RESOURCES CALL CENTER, CUTLER, MAINE.

Of the amount authorized to be appropriated by section 301(a)(2) for operation and maintenance for the Navy, $1,500,000 shall be available for the Navy Pilot Human Resources Call Center, Cutler, Maine.

SA 3911. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XXVIII, add the following:

SEC. 2803. MODIFICATION OF LEASE AUTHORITIES UNDER ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING.

(a) LEASING OF HOUSING.—Subsection (a) of section 2874 of title 10, United States Code, is amended to read as follows:

''(a) LEASE AUTHORIZED.—(1) The Secretary concerned may enter into contracts for the lease of housing units that the Secretary determines are suitable for use as military family housing or military unaccompanied housing.

''(2) The Secretary concerned shall utilize housing units leased under paragraph (1) as military family housing or military unaccompanied housing, as appropriate.''.

(b) REPEAL OF INTERIM LEASE AUTHORITY.—Section 2879 of such title is repealed.

(c) CONFORMING AND CLERICAL AMENDMENTS.—(1) The heading for section 2874 of such title is amended to read as follows:

''§ 2874. Leasing of housing''.

(2) The table of sections at the beginning of subchapter IV of chapter 169 of such title is amended—

(A) by striking the item relating to section 2874 and inserting the following new item:

''2874. Leasing of housing.''; and

(B) by striking the item relating to section 2879.

SA 3912. Mr. LEVIN (for himself, Mr. WARNER, Mr. MCCAIN, Mr. BIDEN, Ms. CANTWELL, Ms. MIKULSKI, Ms. LANDRIEU, Mrs. LINCOLN, Mr. ROCKEFELLER, Mr. HAGEL, Mr. JOHNSON, Ms. COLLINS, and Ms. STABENOW) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

Strike section 641, relating to phased-in authority for concurrent receipt of military retired pay and veterans' disability compensation for certain service-connected disabled veterans, and insert the following:

SEC. 641. PAYMENT OF RETIRED PAY AND COMPENSATION TO DISABLED MILITARY RETIREES.

(a) IN GENERAL.—Section 1414 of title 10, United States Code, is amended to read as follows:

''§ 1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans' disability compensation

''(a) PAYMENT OF BOTH RETIRED PAY AND COMPENSATION.—Except as provided in subsection (b), a member or former member of the uniformed services who is entitled to retired pay (other than as specified in subsection (c)) and who is also entitled to veterans' disability compensation is entitled to be paid both without regard to sections 5304 and 5305 of title 38.

''(b) SPECIAL RULE FOR CHAPTER 61 CAREER RETIREES.—The retired pay of a member retired under chapter 61 of this title with 20 years or more of service otherwise creditable under section 1405 of this title at the time of the member's retirement is subject to reduction under sections 5304 and 5305 of title 38, but only to the extent that the amount of the member's retired pay under chapter 61 of this title exceeds the amount of retired pay to which the member would have been entitled under any other provision of law based upon the member's service in the uniformed services if the member had not been retired under chapter 61 of this title.

''(c) EXCEPTION.—Subsection (a) does not apply to a member retired under chapter 61 of this title with less than 20 years of service otherwise creditable under section 1405 of this title at the time of the member's retirement.

''(d) DEFINITIONS.—In this section:

''(1) The term 'retired pay' includes retainer pay, emergency officers' retirement pay, and naval pension.

''(2) The term 'veterans' disability compensation' has the meaning given the term 'compensation' in section 101(13) of title 38.''.

(b) REPEAL OF SPECIAL COMPENSATION PROGRAM.—Section 1413 of such title is repealed.

(c) CONFORMING AMENDMENT.—Section 641(d) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1150; 10 U.S.C. 1414 note) is repealed.

(d) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 71 of title 10, United States Code, is amended by striking the items relating to sections 1413 and 1414 and inserting the following new item:

''1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans' disability compensation.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on—

(1) the first day of the first month that begins after the date of the enactment of this Act; or

(2) the first day of the fiscal year that begins in the calendar year in which this Act is enacted, if later than the date specified in paragraph (1).

(f) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits may be paid to any person by reason of section 1414 of title 10, United States Code, as amended by subsection (a), for any period before the effective date specified in subsection (e).

SA 3913. Mr. GRASSLEY (for himself, Mr. HARKIN, Mrs. CLINTON, Mr. SCHUMER, Mr. DURBIN, Mr. FITZGERALD, Mrs. LINCOLN, and Mr. HUTCHINSON) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 346. CONTINUATION OF ARSENAL SUPPORT PROGRAM INITIATIVE.

(a) EXTENSION THROUGH FISCAL YEAR 2004.—Subsection (a) of section 343 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–65) is amended by striking ''and 2002'' and inserting ''through 2004''.

(b) REPORTING REQUIREMENTS.—Subsection (g) of such section is amended—

(1) in paragraph (1), by striking ''2002'' and inserting ''2004''; and

(2) in paragraph (2), by striking the first sentence and inserting the following new sentence: ''Not later than July 1, 2003, the Secretary of the Army shall submit to the congressional defense committees a report on the results of the demonstration program since its implementation, including the Secretary's views regarding the benefits of the program for Army manufacturing arsenals and the Department of the Army and the success of the program in achieving the purposes specified in subsection (b).''.

SA 3914. Mr. FRIST (for himself and Mr. THOMPSON) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

In the table in section 2301(b), in the item relating to Royal Air Force, Lakenheath, United Kingdom, strike ''$13,400,000'' and insert ''$5,000,000''.

In the table in section 2301(b), strike the amount identified as the total in the amount column and insert ''$229,851,000''.

In section 2304(a), strike ''$2,597,272,000'' in the matter preceding paragraph (1) and insert ''$2,588,878,000''.

In section 2304(a)(2), strike ''$238,251,000'' and insert ''$229,851,000''.

In section 2601(3)(A), strike ''$204,059,000'' and insert ''$212,459,000''.

SA 3915. Mr. FEINGOLD (for himself and Mr. WELLSTONE) proposed an amendment to the bill S. 2514) to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the appropriate place in the bill, insert the following:

SEC. . BUDGET ENFORCEMENT.

(A) EXTENSION OF BUDGET ENFORCEMENT POINTS OF ORDER.—Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(1) in subsection (c)(2)—

(A) by inserting ''and'' before ''312(b)'' and by striking '', and 312(c)''; and

(B) by striking ''258C(a)(5)''; and

(2) in subsection (d)(3)—

(A) by inserting ''and'' before ''312(b)'' and by striking '', and 312(c)''; and

(B) by striking ''258C(a)(5)''; and

(3) in subsection (e), by striking ''2002'' and inserting ''2007''.

(b) EXTENSION OF BUDGET ENFORCEMENT ACT PROVISIONS.—

(1) IN GENERAL.—Section 275(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 note) is amended to read as follows:

''(b) EXPIRATION.—Sections 251 and 258B of this Act and sections 1105(f) and 1106(c) of title 31, United States Code, shall expire September 30, 2007. The remaining sections of part C of this title shall expire on September 30, 2011.''.

(2) STRIKING EXPIRED PROVISIONS.—

(A) BBA.—The Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) is amended by striking section 253.

(B) CONGRESSIONAL BUDGET ACT.—The Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) is amended—

(i) in section 312, by striking subsection (c); and

(ii) in section 314—

(I) in subsection (b), by striking paragraphs (2) through (5) and redesignating paragraph (6) as paragraph (2); and

(II) by striking subsection (e).

(c) EXTENSION OF DISCRETIONARY CAPS.—

(1) IN GENERAL.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended—

(A) in the matter before subparagraph (A), by striking ''2002'' and inserting ''2007'';

(B) by striking subparagraphs (C), (D), (E), and (F); and

(C) by redesignating subparagraph (G) as subparagraph (C).

(2) CAPS.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended by striking paragraphs (7) and (8) and inserting the following:

''(7) with respect to fiscal year 2003—

''(A) for the discretionary category: $764,722,000,000 in new budget authority and $756,268,000,000 in outlays;

''(B) for the highway category: $28,922,000,000 in outlays;

''(C) for the mass transit category: $1,445,000,000 in new budget authority and $6,030,000,000 in outlays; and

''(D) for the conservation spending category: $1,922,000,000 in new budget authority and $1,872,000,000 in outlays;

''(8)(A) with respect to fiscal year 2004 for the discretionary category: $784,425,000,000 in new budget authority and $814,447,000,000 in outlays; and

''(B) with respect to fiscal year 2004 for the conservation spending category: $2,080,000,000, in new budget authority and $2,032,000,000 in outlays;''.

(3) REPORTS.—Subsections (c)(2) and (f)(2) of section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 904) are amended by striking ''2002'' and inserting ''2007''.

(d) EXTENSION OF PAY-AS-YOU-GO.—

(1) ENFORCEMENT.—Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902) is amended—

(A) in subsection (a), by striking ''2002'' and inserting ''2007''; and

(B) in subsection (b), by striking ''2002'' and inserting ''2007''.

(2) PAY-AS-YOU-GO RULE IN THE SENATE.—

(A) IN GENERAL.—Section 207 of House Concurrent Resolution 68 (106th Congress) is amended in subsection (g), by striking ''2002'' and inserting ''2007''.

(B) SENATE PAY-AS-YOU-GO ADJUSTMENT.—For purposes of Senate enforcement of section 207 of House Concurrent Resolution 68 (106th Congress), upon the enactment of this Act, the Chairman of the Committee on the Budget of the Senate shall adjust balances of direct spending and receipts for all fiscal years to zero.

(3) PAY-AS-YOU-GO ENFORCEMENT DURING ON-BUDGET SURPLUS.—If, prior to September 30, 2007, the Final Monthly Treasury Statement for any of fiscal years 2002 through 2006 reports an on-budget surplus, section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902) shall expire at the end of the subsequent fiscal year, and the President, in the next budget, shall submit to Congress a recommendation for pay-as-you-go enforcement procedures that the President believes are appropriate when there is an on-budget surplus.

(e) SENATE APPROPRIATIONS COMMITTEE ALLOCATIONS.—Upon the enactment of this Act, the Chairman of the Committee on the Budget of the Senate shall file allocations to the Committee on Appropriations of the Senate consistent with this Act pursuant to section 302(a) of the Congressional Budget Act of 1974.

SA 3916. Mr. REID (for Mr. CONRAD (for himself and Mr. FEINGOLD)) proposed an amendment to amendment SA 3915 proposed by Mr. FEINGOLD (for himself and Mr. WELLSTONE) to the bill (S. 2514) to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

Strike all after the first word in the amendment, and insert the following:

BUDGET ENFORCEMENT.

(a) EXTENSION OF BUDGET ENFORCEMENT POINTS OF ORDER.—Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(1) in subsection (c)(2)—

(A) by inserting ''and'' before ''312(b)'' and by striking '', and 312(c)''; and

(B) by striking ''258C(a)(5)''; and

(2) in subsection (d)(3)—

(A) by inserting ''and'' before ''312(b)'' and by striking '', and 312(c)''; and

(B) by striking ''258C(a)(5)''; and

(3) in subsection (e), by striking ''2002'' and inserting ''2007''.

(b) EXTENSION OF BUDGET ENFORCEMENT ACT PROVISIONS—

(1) IN GENERAL.—Section 275(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 note) is amended to read as follows:

''(b) EXPIRATION.—Sections 251 and 258B of this Act and sections 1105(f) and 1106(c) of title 31, United States Code, shall expire September 30, 2007. The remaining sections of part C of this title shall expire on September 30, 2011.''.

(2) STRIKING EXPIRED PROVISIONS.—

(A) BBA.—The Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) is amended by striking section 253.

(B) CONGRESSIONAL BUDGET ACT.—The Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) is amended—

(i) in section 312, by striking subsection (c); and

(ii) in section 314—

(I) in subsection (b), by striking paragraphs (2) through (5) and redesignating paragraph (6) as paragraph (2); and

(II) by striking subsection (e).

(c) EXTENSION OF DISCRETIONARY CAPS.—

(1) IN GENERAL.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended—

(A) in the matter before subparagraph (A), by striking ''2002'' and inserting ''2007'';

(B) by striking subparagraphs (C), (D), (E), and (F); and

(C) by redesignating subparagraph (G) as subparagraph (C).

(2) CAPS.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended by striking paragraphs (7) and (8) and inserting the following:

''(7) with respect to fiscal year 2003—

''(A) for the discretionary category: $764,722,000,000 in new budget authority and $756,268,000,000 in outlays;

''(B) for the highway category: $28,922,000,000 in outlays;

''(C) for the mass transit category: $1,445,000,000 in new budget authority and $6,030,000,000 in outlays; and

''(D) for the conservation spending category: $1,922,000,000 in new budget authority and $1,872,000,000 in outlays;

''(8)(A) with respect to fiscal year 2004 for the discretionary category: $784,425,000,000 in new budget authority and $814,447,000,000 in outlays; and

''(B) with respect to fiscal year 2004 for the conservation spending category: $2,080,000,000, in new budget authority and $2,032,000,000 in outlays;''.

(3) REPORTS.—Subsections (c)(2) and (f)(2) of section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 904) are amended by striking ''2002'' and inserting ''2007''.

(d) EXTENSION OF PAY-AS-YOU-GO.—

(1) ENFORCEMENT.—Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902) is amended—

(A) in subsection (a), by striking ''2002'' and inserting ''2007''; and

(B) in subsection (b), by striking ''2002'' and inserting ''2007''.

(2) PAY-AS-YOU-GO RULE IN THE SENATE.—

(A) IN GENERAL.—Section 207 of House Concurrent Resolution 68 (106th Congress) is amended in subsection (g), by striking ''2002'' and inserting ''2007''.

(B) SENATE PAY-AS-YOU-GO ADJUSTMENT.—For purposes of Senate enforcement of section 207 of House Concurrent Resolution 68 (106th Congress), upon the enactment of this Act, the Chairman of the Committee on the Budget of the Senate shall adjust balances of direct spending and receipts for all fiscal years to zero.

(3) PAY-AS-YOU-GO ENFORCEMENT DURING ON-BUDGET SURPLUS.—If, prior to September 30, 2007, the final Monthly Treasury Statement for any of fiscal years 2002 through 2006 reports an on-budget surplus, section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902) shall expire at the end of the subsequent fiscal year, and the President, in the next budget, shall submit to Congress a recommendation for pay-as-you-go enforcement procedures that the President believes are appropriate when there is an on-budget surplus.

(e) SENATE APPROPRIATIONS COMMITTEE ALLOCATIONS.—Upon the enactment of this Act, the Chairman of the Committee on the Budget of the Senate shall file allocations to the Committee on Appropriations of the Senate consistent with this Act pursuant to section 302(a) of the Congressional Budget Act of 1974.

(f) EFFECTIVE DATE.—The provisions of this section shall take effect 15 days after the enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a Hearing during the session of the Senate on Wednesday, June 19, at 9:30 a.m. in SD–366. The purpose of this hearing is to receive testimony on the following bills addressing the recreation fee program on Federal lands:

S. 2473, to enhance the Recreational Fee Demonstration Program for the National Park Service, and for other purposes; and

S. 2607, to authorize the Secretary of the Interior and the Secretary of Agriculture to collect recreation fees on Federal lands, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, June 19, 2002 at 2:30 p.m. to hold a hearing on S. 1017.

Agenda

Witnesses

Panel 1: Mr. Bernard Aronson, Co-chair of the Council on Foreign Relations, Independent Task Force on Cuba, Managing Partner, ACON Investment LLC, Washington, DC.

Panel 2 (Scientific Exchanges, Public Health and Advances in Medicine): Mr. Alan Leshner, Chief Executive Officer, American Association for the Advancement of Science, Washington, DC; Dr. Donald Morton, Medical Director and Surgeon in Chief, John Wayne Cancer Institute, Santa Monica, CA; Dr. Kenneth Bridges, Director, Joint Center for Sickle Cell and Thalassemic Disorders, Brigham and Women's Hospital, Boston, MA; and Dr. Mark Rasenick, Professor of Physiology, Biophysics, and Psychiatry, Director Biomedical Neuroscience Training Program, University of Illinois, College of Medicine, Chicago, IL.

Panel 3 (Travel): Ms. Nancy Chang, Senior Litigation Attorney, Center for Constitutional Rights, New York City, New York.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be permitted to meet on Wednesday, June 19, 2002 at 10:30 a.m. for a hearing to consider the nomination of Michael Brown to be Deputy Director of the Federal Emergency Management Agency.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in executive session during the session of the Senate on Wednesday, June 19, 2002, during the session of the Senate.

Agenda

S. 2184, To provide for the reissuance of a rule relating to ergonomics;

S. 2558, Benign Brain Tumor Registries Amendment Act;

S. 2328, Safe Motherhood Act for Research and Treatment;

S. 1115, Comprehensive Tuberculosis Elimination Act of 2001; and

S. 710, Eliminate Colorectal Cancer Act of 2001.

NOMINATIONS

Thomas Mallon, of Connecticut, to be Member of the National Council on the Humanities;

Wilfred M. McClay, of Tennessee, to be a Member of the National Council on the Humanities;

Wilbur Grizzard, of Virginia, to be an Assistant Secretary of Labor;

Patricia Pound, of Texas, to be Member of the National Council on Disability;

Lex Frieden, of Texas, to be Member of the National Council on Disability

Carol Hughes Novak, of Georgia, to be a Member of the National Council on Disability;

Kathleen Martinez, of California, to be a Member of the National Council on Disability;

Young Woo Kang, of Indiana, to be Member of the National Council on Disability;

Russell George, of Virginia, to be Inspector General, Corporation for National and Community Service;

Jeffrey D. Wallin, of California, to be a Member of the National Council on the Humanities; and

Kathleen Utgoff, of Virginia, to be a Commissioner of Labor Statistics, United States Department of Labor.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on NSF Reauthorization: Strengthening Math and Science Research, Development, and Education in the 21st Century during the session of the Senate on Wednesday, June 19, 2002, at 1:45 p.m. in SD–430.

The PRESIDING OFFICER. without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Crime and Drugs be authorized to meet to conduct a hearing on ''Penalties for White Collar Crime Offenses: Are We Really Getting Tough on Crime,'' on Wednesday, June 19, 2002, at 10:30 a.m. in SD226.

Agenda

Witnesses

Panel I: Mr. Charles Prestwood, Conroe, Texas; Ms. Janice Farmer, Orlando, Florida; and Mr. Howard Deputy, Smyrna, Delaware.

Panel II: The Honorable James B. Comey, Jr., United States Attorney for the Southern District of New York, New York, New York; the Honorable Glen B. Gainer, III, State Auditor of West Virginia, Chairman, National White Collar Crime Center, Morgantown, West Virginia; the Honorable

Bradley Skolnik, Securities Commissioner of Indiana, Chairman, Enforcement Division, North American Securities Administrators Association, Washington, DC; Mr. Frank Bowman, Associate Professor of Law, Indiana University School of Law, Bloomington, Indiana; and Mr. Paul Rosenzweig, Senior Legal Research Fellow, Center for Legal and Judicial Studies, The Heritage Foundation, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate for a roundtable entitled ''Are Government Purchasing Policies Failing Small Business?'' on Wednesday, June 19, 2002, beginning at 9:00 a.m. in room 428A of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, June 19, 2002 at 10 a.m. and 2:30 p.m. to hold a closed hearing on the Joint Inquiry into the events of September 11, 2001.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON COMMUNICATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Communications be authorized to meet on Wednesday, June 19, 2002, at 10 a.m. on Future of Universal Service: Ensuring the Sufficiency and Stability of the Fund.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Science, Technology and Space be authorized to meet on Wednesday, June 19, 2002, at 2:30 p.m. on NASA and education.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. INHOFE. Mr. President, I ask unanimous consent that John Wason, a fellow in my office, be granted the privilege of the floor for the duration of the debate on S. 2514.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I ask unanimous consent that Mark Hamilton, a defense fellow in Senator MIKULSKI's office, be granted the privilege of the floor during the duration of the Department of Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLELAND. Mr. President, I ask unanimous consent that my military fellow, Skip Sherrell, be granted the privilege of the floor during consideration of the Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that Barbara Morrow, a fellow on my staff, be granted floor privileges for the duration of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANTORUM. Mr. President, I ask unanimous consent that Senator MCCAIN's legislative fellow, Navy LCDR Paul Gronemeyer, be granted floor privileges during consideration of the National Defense Authorization Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

DETAINING OF NORTH KOREAN REFUGEES

Mr. REID. I ask unanimous consent the Senate proceed to Calendar No. 419, S. Con. Res. 114.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 114) expressing the sense of Congress regarding North Korean refugees who are detained in China and returned to North Korea where they face torture, imprisonment, and execution.

There being no objection, the Senate proceeded to consideration of the concurrent resolution, which had been reported from the Committee on Foreign Relations, with an amendment and an amendment to the preamble, and an amendment to the title.

[Omit the parts in black brackets and insert the parts printed in italic.]

S. CON. RES. 114

[Whereas the Government of North Korea is one of the most oppressive regimes and was identified by the President of the United States as one of the three countries forming an ''axis of evil'';

[Whereas the Government of North Korea is controlled by the Korean Workers Party, which does not recognize the right of North Koreans to exercise the freedoms of speech, religion, press, assembly, or association;

[Whereas the Government of North Korea imposes severe punishments for crimes such as attempted defection, slander of the Korean Workers Party, listening to foreign broadcasts, possessing printed matter that is considered reactionary by the Korean Workers Party, and holding prohibited religious beliefs;

[Whereas at least 1,000,000 North Koreans are estimated to have died of starvation since 1995 because of the failure of the centralized agricultural system operated by the Government of North Korea and because of severe drought;

[Whereas the combination of political, social, and religious persecution, economic deprivation, and the risk of starvation in North Korea is causing many North Koreans to flee to China;

[Whereas between 100,000 and 300,000 North Korean refugees are estimated to be residing in China without the permission of the Government of China;

[Whereas the Governments of China and North Korea have reportedly begun aggressive campaigns to locate North Koreans who reside without permission in China and to forcibly return them to North Korea;

[Whereas North Koreans who seek asylum in China and are refused, are returned to North Korea where they have reportedly been imprisoned and tortured, and in many cases killed;

[Whereas the United Nations Convention Relating to the Status of Refugees of 1951, as modified and incorporated by reference by the Protocol Relating to the Status of Refugees of 1967, defines a refugee as a person who ''owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country'';

[Whereas despite China's obligations as a party to the United Nations Convention Relating to the Status of Refugees of 1951 and the Protocol Relating to the Status of Refugees of 1967, China routinely classifies North Koreans seeking asylum in China as ''economic migrants'' and returns the refugees to North Korea without regard to the serious threat of persecution they will face upon their return;

[Whereas the Government of China is party to the United Nations Convention Relating to the Status of Refugees of 1951 and the Protocol Relating to the Status of Refugees of 1967 and must respect the term of these agreements;

[Whereas in recent weeks, Chinese authorities have increased security around diplomatic properties and reportedly have stepped up detentions of North Koreans hiding in the country, in response to 28 North Koreans seeking asylum who rushed several foreign embassies;

[Whereas on May 9th, eight North Koreans seeking political asylum rushed the United States and Japanese consulates in the northeastern Chinese city of Shenyang, including three who scaled a wall and made it into the United States mission; and

[Whereas Chinese police captured the other five, including a toddler, allegedly by entering the Japanese Consulate compound without permission, and dragging five people out, in clear violation of the provisions of the Vienna Convention on Consular Relations ensuring the inviolability of consular missions: Now, therefore, be it]

Whereas the people of North Korea live in extreme poverty and do not enjoy the freedoms of speech, religion, press, assembly, or association;

Whereas the Government of North Korea imposes severe punishments for crimes such as attempted defection, slander of the Korean Workers Party, listening to foreign broadcasts, possessing printed matter that is considered reactionary by the Korean Workers Party, and holding prohibited religious beliefs;

Whereas at least 1,000,000 North Koreans are estimated to have died of starvation since 1995 because of the failure of the centralized agricultural system operated by the Government of North Korea and because of severe drought and other natural calamities;

Whereas the combination of political, social, and religious persecution, economic deprivation, and the risk of starvation in North Korea is causing many North Koreans to flee to China;

Whereas between 100,000 and 300,000 North Korean refugees are estimated to be residing in China without the permission of the Government of China;

Whereas the presence of so many North Korean refugees on Chinese soil imposes a heavy burden on the Chinese people;

Whereas North Koreans who seek asylum while in China and are refused, are returned to

North Korea where they have reportedly been imprisoned and tortured, and in many cases killed;

Whereas the United Nations Convention Relating to the Status of Refugees of 1951, as modified and incorporated by reference by the Protocol Relating to the Status of Refugees of 1967, defines a refugee as a person who ''owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country'';

Whereas the Government of China is party to the United Nations Convention Relating to the Status of Refugees of 1951 and the Protocol Relating to the Status of Refugees of 1967;

Whereas China routinely characterizes North Koreans seeking asylum while in China as being economic migrants and returns the refugees to North Korea without adequate due process or regard to the serious threat of persecution they will face upon their return;

Whereas in recent weeks, in response to North Koreans seeking asylum who have rushed several foreign missions, Chinese authorities reportedly have begun an aggressive campaign to locate North Koreans who reside without permission in China and forcibly to return them to North Korea;

Whereas the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations obligate China to ensure the inviolability of foreign missions and to provide for their security;

Whereas the refugee problem will persist until there is peace and reconciliation on the Korean Peninsula;

Whereas June 15, 2002, marks the second anniversary of the historic North-South Summit in Pyongyang between South Korean President Kim Dae-jung and North Korean leader Kim Jong-il, at which both sides pledged to pursue peace and reconciliation;

Whereas President Bush has pledged to support South Korea's policy of engagement with North Korea; and

Whereas the President of the United States has offered to send a representative to meet with North Korean authorities to address issues of mutual concern, including humanitarian issues: Now, therefore, be it

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

[(1) the Government of China to honor its obligations under the United Nations Convention Relating to the Status of Refugees of 1951, as modified and incorporated by reference by the Protocol Relating to the Status of Refugees of 1967, by—

[(A) making genuine efforts to identify and protect the refugees among the North Korean migrants encountered by Chinese authorities, including providing the refugees with a reasonable opportunity to petition for asylum;

[(B) allowing the United Nations High Commissioner for Refugees to have access to all North Korean asylum seekers and refugees residing in China;

[(C) halting the forced repatriations of North Korean refugees seeking asylum in China; and

[(D) cooperating with the United Nations High Commissioner for Refugees in efforts to resettle the North Korean refugees residing in China to other countries;

[(2) the Government of China to permit access to the United Nations High Commissioner for Refugees in order to evaluate the asylum claims and to facilitate the resettlement of the North Korean refugees residing in China in other countries; and

[(3) the United States Government to consider asylum claims and refugee claims of North Koreans arising from a well-founded fear of persecution.]

That Congress—

(1) encourages the Government of China to honor its obligations under the United Nations Convention Relating to the Status of Refugees of 1951, as modified and incorporated by reference by the Protocol Relating to the Status of Refugees of 1967 by—

(A) making genuine efforts to identify and protect the refugees among the North Korean migrants encountered by Chinese authorities, including providing the refugees with a reasonable opportunity to petition for asylum;

(B) allowing the United Nations High Commissioner for Refugees to have access to all North Korean asylum seekers and refugees residing in China in order to evaluate the asylum claims and to facilitate the resettlement of the North Korean refugees residing in China in other countries; and

(C) halting the forced repatriations of North Korean refugees seeking asylum in China;

(2) encourages the Government of China to respect the inviolability of foreign missions while providing for their security, as called for under the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations;

(3) urges the Government of North Korea to alleviate the suffering of the North Korean people, to respect their universally recognized human rights, and to take concrete steps to implement the North-South Joint Declaration of June 15, 2000, issued by the leaders of South Korea and North Korea on that date; and

(4) encourages the United States Government to consider asylum claims and refugee claims of North Koreans arising from a well-founded fear of persecution.

Amend the title to read: ''A Concurrent Resolution expressing the sense of Congress regarding North Korean refugees in China and those who are returned to North Korea where they face torture, imprisonment, and execution.''.

Mr. REID. I ask unanimous consent that the committee amendment be agreed to, the concurrent resolution, as amended, be agreed to, the amendment to the preamble be agreed to, the preamble, as amended, be agreed to, the title amendment be agreed to, and the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and any statements related thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment was agreed to.

The concurrent resolution (S. Con. Res. 114), as amended, was agreed to.

The amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The title amendment was agreed to.

HONORING THE HEROISM AND COURAGE OF FLIGHT ATTENDANTS

Mr. REID. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. Con. Res. 110, and that the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is ordered. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 110) honoring the heroism and courage displayed by airline flight attendants on a daily basis.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution and the preamble be agreed to en bloc, the motion to reconsider be laid upon the table en bloc, and that any statements relating thereto be printed in the RECORD without any intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 110), was agreed to.

The preamble was agreed to.

The concurrent resolution with its preamble, reads as follows:

S. CON. RES. 110

Whereas over 100,000 men and women in the United States serve as flight attendants;

Whereas flight attendants dedicate themselves to serving and protecting their passengers;

Whereas flight attendants react to dangerous situations as the first line of defense of airline passengers;

Whereas safety and security are the primary concerns of flight attendants;

Whereas flight attendants evacuate passengers from an airplane in emergency situations;

Whereas flight attendants defend passengers against hijackers, terrorists, and abusive passengers;

Whereas flight attendants handle in-flight medical emergencies;

Whereas flight attendants perform routine safety and service duties on board the aircraft;

Whereas 25 flight attendants lost their lives aboard 4 hijacked flights on September 11, 2001;

Whereas 5 flight attendants helped to prevent United Flight 93 from reaching its intended target on September 11, 2001;

Whereas flight attendants provided assistance to passengers across the United States who had their flights diverted on September 11, 2001;

Whereas flight attendants on American Airlines Flight 63 helped to subdue Richard Reid on December 22, 2001, thereby preventing him from detonating an explosive device in his shoe intended to bring down the airplane and kill all 185 passengers and 12 crew members on board; and

Whereas flight attendants helped to prevent Pablo Moreira, a Uruguayan citizen, from breaking into the cockpit on February 7, 2002, during United Flight 855 from Miami to Buenos Aires: Now therefore be it

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

(1) expresses its profound gratitude for the faithful service provided by flight attendants to make air travel safe;

(2) honors the courage and dedication of flight attendants;

(3) supports all the flight attendants who continue to display heroism on a daily basis, as they had been doing before, during, and after September 11, 2001; and

(4) shall send a copy of this resolution to a family member of each of the flight attendants killed on September 11, 2001.

ORDERS FOR THURSDAY, JUNE 20, 2002

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, June 20; that following the prayer and pledge the Journal of Proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and there be a period of morning business until 10:30 a.m. with Senators permitted to speak for up to 10 minutes each, with the first half under the control of the majority leader or his designee, and the second half under the control of the Republican leader or his designee, with the first 15 minutes of time under the control of Senator SPECTER; that at 10:30 a.m. the Senate resume consideration of the Department of Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment following the remarks of Senator MCCAIN of Arizona.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCURRENT RECEIPT

Mr. MCCAIN. Mr. President, I speak on behalf of the pending amendment. I strongly support it and would like to finally see this issue brought to a successful conclusion after many years.

I first introduced legislation on concurrent receipt back in 1992, again in 1993, again in 1995, and again in 1999. In 1999, I introduced legislation that became law as a compromise measure that paid special compensation pay for severely disabled military retirees with disabilities greater than 50 percent.

Here we are in 2002 with an opportunity to finally rectify a problem that has plagued our veterans, and to rectify it once and for all for all military retirees who have become disabled during their military service.

We have an opportunity to show a measure of our gratitude to these brave men and women who are serving our Nation as we speak in a time of war that all of us agree may be of very long duration.

The existing law, as it stands, is simply discriminatory and wrong. Concurrent receipt is at its core a fairness issue. Present law simply discriminates against career military people who have been injured or disabled in the conduct of their duties while in defense of this Nation.

I want to emphasize the important aspect of this issue to all of my colleagues.

Retired veterans are the only group of Federal retirees who are required to waive their retirement pay in order to receive VA disability compensation. I want to repeat that. This record must reflect the importance of this legislation to correct a gross and unfair discrimination against our veterans. Retired veterans are the only group of Federal retirees who are required to waive their retirement pay in order to receive VA disability compensation.

In my view, the two pays are for very different purposes: one for service to the country and the other for physical or mental pain and suffering which occurred in that service to the country.

When I first drafted concurrent receipt legislation as ranking member of the Personnel Subcommittee, it was cosponsored by my dear friend, and former chairman of the Personnel Subcommittee, Senator John Glenn, in 1992. If he were here today, he would speak as passionately as he did during those years in favor of this legislation.

The Retired Pay Restoration Act has received strong bipartisan support in Congress with 396 cosponsors in the House and 82 cosponsors in the Senate.

The Military Coalition, an organization of 33 prominent veterans' and retirees' advocacy groups, supports this legislation, as do many other veterans service organizations, including the Veterans of Foreign Wars, American Legion, and Disabled American Veterans.

For the brave men and women who have selected to make their career the U.S. military, they face an unknown risk. If they are injured, they will be forced to forego their earned retired pay in order to receive their VA disability compensation. In effect, they will be paying for their own disability benefits from their retirement checks.

We have a unique opportunity this year to redress the unfair practice of requiring disabled military retirees to fund their own disability compensation. Sixty percent is not enough. We need full funding for all military retirees. It is time for us to show our appreciation to the men and women who have suffered so much for our great Nation.

If we went back and looked at the legislative history of the legislation we passed in 1999, I think a review of the debate and discussion of that legislation would show that we wanted to cover all veterans, but there simply was not enough money. So we drew the line at severely disabled military retirees with disabilities greater than 50 percent, with the full intention of expanding that to all veterans.

Why did we select 50 percent? It was an arbitrary selection because we knew that over time we would expand it. The reason why we drew the line where we did was simply for budgetary reasons.

Again, it seems to me, the argument against it is only one; that is, we cannot afford it because it is too large a hit to the budget.

I would argue that perhaps we have our priorities a bit skewed if we are not going to take care of our veterans as our first priority. So I hope we can convince the administration of the justice and fairness behind this proposal. I hope we can get it resolved to the benefit of our men and women who have served.

I point out that this is an issue not only for veterans who have retired and feel inequity, but the active duty members of our military are also aware of this situation.

So I speak strongly on behalf of the amendment, as one who has been involved in it, as I said, for nearly 10 years. We have achieved partial success now. I hope we can achieve complete success and make all veterans eligible for this program and they not have to give up their retirement pay in order to receive VA disability compensation.

I thank the Presiding Officer for his patience, and I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 5:59 p.m., adjourned until Thursday, June 20, 2002, at 9:30 a.m.

EXTENSIONS OF REMARKS

PAYING TRIBUTE TO COLORADO STUDENT HISTORIANS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. McINNIS. Mr. Speaker, I rise today to recognize an outstanding history education program in Colorado and throughout the United States. National History Day is a year-long nonprofit program through which students in grades 6–12 research and create historical projects related to a broad theme, culminating in an annual contest. This year's National History Day theme, ''Revolution, Reaction, Reform in History,'' encompasses endless possibilities for exploration. Each year more than 700,000 students participate in this nationwide event that encourages students to delve into various facets of world, national, regional, or local history and to produce original research projects.

By encouraging young Coloradans and other young men and women to take advantage of the wealth of primary historical resources available to them, students are able to gain a richer understanding of historical issues, ideas, people, and events. Students in this program learn how to analyze a variety of primary sources, such as photographs, letters, posters, maps, artifacts, sound recordings and motion pictures. This significant academic exercise encourages intellectual growth while helping students to develop critical thinking and problem solving skills that will help them manage and use information.

I want to take a moment to pay tribute to the four students who will represent Colorado at this year's National History Day contest. Amy Lewis of Summit Middle School in Frisco, Colorado, with the assistance of her teacher Sam Havens, wrote a fine paper entitled ''The Automobile: A Revolution of a Lifetime.'' Amy Wiley's exhibit, ''The Incredible Mill Girl Revolution,'' represents her hard work and the dedication of Dana Ferguson and all the fine teachers at Connect Middle School of Pueblo. Finally, Angie Mestas and Martina Zinr, of Ortega Middle School in Alamosa, have prepared ''Sewer Systems: Revolution in Urban Sanitation,'' a group project under the supervision of teacher Carrie Zimmerman.

Mr. Speaker, I wish to applaud the dedication of these students and the hours of education, devotion and friendship provided to them by their respective teachers. The National History Day program is truly a great asset to Colorado's and our nation's educators and students in their quest for educational excellence. The program represents hope for improving historical knowledge and perspective and the future of our young people as citizens of the world. I thank all those involved in making this competition possible and I wish our own Colorado delegation good luck as they match wits with students from across the country.

CONGRATULATING PROFESSOR RICHARD McCRAY

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. UDALL of Colorado. Mr. Speaker, I rise today to congratulate Richard McCray of the University of Colorado, who is one of six professors nationwide being recognized and rewarded with a National Science Foundation Director's Award for Distinguished Teaching Scholars.

The NSF Director's Award honors individuals who have made outstanding contributions to research in their discipline as well as education of undergraduate students, including those who are not majoring in the sciences. It is the highest honor bestowed by the National Science Foundation for excellence in both teaching and research.

In awarding this honor to Prof. McCray, the NSF selection committee commended him for his many innovative contributions in the area of teaching standards. In particular, the committee credited Prof. McCray's use of Web-based learning tools with transforming the way introductory astronomy is taught to large classes.

Prof. McCray has been a member of the National Academy of Sciences since 1989, as well as a member of the Educational Advisory Board of the American Astronomical Society, and his many other accomplishments are too numerous to mention here. This award singles out Prof. McCray for his contributions to the University of Colorado, to the teaching profession, and to the overall enhancement of undergraduate education. He deserves to be proud of his efforts to strengthen the standard of excellence toward which our nation's professors and educational institutions strive.

HONORING MAJOR GENERAL ROBERT J. COURTER, JR., COMMANDING OFFICER OF THE DEFENSE COMMISSARY AGENCY, ON THE OCCASION OF HIS RETIREMENT

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. FORBES. Mr. Speaker, I rise today to honor a true American patriot who has spent his entire adult life in the service of his country. Major General Robert J. Courter Jr., United States Air Force, is retiring from duty, bringing to a close his admirable 33-year military career.

A 1968 graduate of Rutgers University, Major General Courter, commanded two squadrons as a base civil engineer. He attained the academic position of associate professor of engineering management at the Air Force Institute of Technology and served in two different key resource management positions at the Headquarters of the United States Air Force here in Washington, D.C. General Courter has served as the command civil engineer at Air Force Logistics Command at Wright-Patterson Air Force Base in Ohio. General Courter also served as the 37th Training Wing commander at Lackland Air Force Base in Texas. He is a registered professional engineer in Texas, a society fellow, and national board member of the Society of American Military Engineers.

Throughout his dedicated career Major General Courter was decorated for his service. His awards include the Legion of Merit, the Bronze Star Medal with ''V'' device and oak leaf cluster, the Meritorious Service Medal with four oak leaf clusters, the Air Force Commendation Medal with two oak leaf clusters, the Vietnam Service Medal, the Republic of Vietnam Gallantry Cross with Palm, and the Republic of Vietnam Campaign Medal.

In his most recent assignment Major General Courter served as the director of the Defense Commissary Agency, at Fort Lee, in the Fourth District of Virginia. In this capacity, Major General Courter was responsible for directing and centrally managing the military's worldwide commissary system.

Mr. Speaker, I rise today as the representative of the citizens of Virginia's 4th District to congratulate Major General Courter on the completion of his outstanding career and to thank him for his dedicated service to the United States of America. Please join me in wishing General Courter happiness for the future and thank him for his dutiful dedication to service.

IN RECOGNITION OF RENEE D. MARTINEZ

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Ms. SOLIS. Mr. Speaker, I rise today to honor Renee D. Martinez for becoming the first woman and first Latina to achieve a position at the level of permanent Vice President of Workforce Education and Economic Development in the history of East Los Angeles College in Monterey Park, California.

Throughout her entire professional career, Ms. Martinez has remained committed to improving educational access and opportunities for the community. Ms. Martinez began serving the East Los Angeles community in 1968 at the Hammel Street Children Center as a teacher, consultant and supervisor.

In 1974, Ms. Martinez joined East Los Angeles College as a coordinator for the Outreach Education Associate Program for Education Aides. She then became a professor in the Child Development program and soon became the Chairperson for the Family & Consumer Studies Department. Shortly after, Ms.

Martinez became Co-Director and Trainer of the Independent Living Program for Adults and Teenagers. From there, Ms. Martinez became Director of the Foster Care Education Program. In 1995, Ms. Martinez was appointed Director/Associate Dean of Student Activities. In 1996, Ms. Martinez was promoted to Dean of Academic Affairs. Since 2000, she has served as temporary Vice President of Workforce Education and Economic Development.

In addition to her professional contributions to the East Los Angeles College community, Ms. Martinez has spent her time and energy serving on numerous advisory committees for organizations like: East Los Angeles YMCA, Las Madrinas de Montebello, Friends of El Centro Mental Health Center, Latinas Partners for Health HIV/AIDS, and many others. Ms. Martinez's commitment to the community and hard work earned her various awards, such as: the Mexican American Alumni Award, 1992; National Head Start Latino Leadership, 2000; and Director of the Year-Foster Care Education, 1994.

Ms. Martinez currently resides in Hacienda Heights, CA. She earned her Bachelor of Arts degree from California State University of Los Angeles and a Master of Arts degree from University of San Francisco.

It gives me great pride to honor and congratulate Renee D. Martinez for achieving the position of permanent Vice President of Workforce Education and Economic Development at East Los Angeles College and her many contributions to our community.

PAYING TRIBUTE TO THE RUSTY CANNON MOTEL

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. McINNIS. Mr. Speaker, I would like to take a moment to pay tribute to the Rusty Cannon Motel for its contributions to the business community of Rifle, Colorado. The Rusty Cannon was recently awarded the ''Business of the Year'' award by the Rifle Chamber of Commerce in recognition of the faith and quality service that the motel's owners have shown through the establishment's 20 years in operation.

Opening its doors in Rifle on May 1, 1982, the Rusty Cannon Motel was built to accommodate the oil shale boom which had significantly increased the demand for lodging in the area. When a major oil producer pulled the plug on their oil shale operations in the region only one day later, the Rusty Cannon's owners—Bob Cross, Dennis Foster and Bob McMichael—were forced to rethink their plans for the newly-built 89-room hotel.

After 20 years of successful operation, the Rusty Cannon's celebration of this impressive anniversary serves as a testament to the ingenuity, faith and management prowess of the motel's ownership. The Rusty Cannon's success has truly been a community effort, with managers Bunny and Larry Rohrig crediting the high quality of the local housekeeping and front desk help for much of the success which the establishment has enjoyed over its two decades of operation.

Mr. Speaker, it is with pride that I take this opportunity to bring the Rusty Cannon Motel's twentieth anniversary to the attention of this body of Congress and congratulate managers Bunny and Larry Rohrig on being named the 2001 Business of the Year by the Rifle Chamber of Commerce. The devotion and hard work which has been invested by the Rusty Cannon's owners, managers and staff to make this motel a successful enterprise has been a shining example of the American ingenuity which makes our nation great.

NATIONAL SERVICE DAY

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. ISRAEL. Mr. Speaker, I rise, as all Americans should rise in support of service to the greatest Nation in the history of the world.

As we speak, American men and women are in harms way across the world fighting terrorist enemies who only nine short months ago launched an unprecedented assault against our Nation, our people and our institutions. Above all, they launched an assault against the values and principles of freedom and liberty that are the very foundation of our Republic, and the reason that we are the model for democracy all across our planet.

America is the terrorist's worst nightmare, for we are truly a guiding lamp of liberty, a model of justice that men and women all over the world flock to each year, an extraordinary place where the children of immigrants became as much Americans as the descendants of the Mayflower.

There are many ways to serve America's freedom. We are proud of our sons and daughters who risk their lives to protect our liberty. Their military courage inspires us.

But there are other ways to serve America. There are other ways to strengthen the United States, to strengthen our pluralism, to extend the American dream across our continent.

Mr. Speaker, in this time of national crisis, it is time for Americans to pay back to this country in ways both large and small, some of the great gifts that this Nation, and this land, and this system have given to all of our people.

I remember as a child hearing the stirring words of John Fitzgerald Kennedy calling Americans to service around the world in the Peace Corps.

I remember the words and programs of Lyndon Baines Johnson building the Great Society—from Head Start to Community Action Programs to Legal Services for the Poor. He fulfilled President Kennedy's dream with the formation of the domestic Peace Corps—VISTA—Volunteers in Service to America.

I recall the words of President George Herbert Walker Bush in his Points of Light initiative to expand volunteerism in America.

And I recall the words of President Bill Clinton when, as one of the first initiatives of his presidency, he sought the creation of the AmeriCorps program to encourage more young Americans to serve their country.

And today, I am proud of the determination, and the commitment, and the idealism of the thousands of Americans who serve in AmeriCorps.

I am stirred by the passion of thousands of young Americans, straight out of college with endless possibilities to make huge salaries, who have chosen instead to give two years back to their Nation in the extraordinary Teach For America program. One of those American patriots is Sarah Siegel, the daughter of my own Chief of Staff.

Mr. Speaker, there are all kinds of courage in this world. Civil courage is every bit as significant as military courage. The thousands of volunteers demonstrate courage every day by sacrificing their time to help their fellow citizens. I am proud to witness this strength of character in America.

Mr. Speaker, there are many ways to demonstrate character in the new millennium. But I suggest to you today, as we celebrate National Service Day, that a fundamental demonstration of American character, values and commitment to the future, is service to our Nation.

President Kennedy challenged Americans with his call to ''Ask not what your country can do for you, ask what you can do for your country,''—and America has responded.

On this day, I praise all who are paying to their Nation and their communities, and accepting the personal responsibilities inherent in citizenship. I pray that their good work, and their good deeds, and their good hearts, will become a model for generations of Americans yet unborn, on how to be a responsible citizen of the United States of America.

DECLARING COLORADO OPEN FOR BUSINESS

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. UDALL of Colorado. Mr. Speaker, I rise to announce that Colorado is open for business! Recently, in great State of Colorado has been the focus of a lot attention because of the fires. However, the fires are burning only in one-percent of the state and much of our beautiful state has not been affected by fire.

Many people associate Colorado with winter sports like skiing and snowboarding, but there is no where on Earth during the summertime like Colorado. Our state is home to fifty-three 14,000-foot peaks that are ready to be conquered, several creeks and rivers ripe for fishing or rafting, and numerous golf courses and mountain bike and hiking trails.

Summer vacationers can take a ride on the Summer Ski Train to Winter Park. Music lovers can watch the sun set over the Rocky Mountains and take in the sounds of the National Repertory Orchestra in Breckenridge or at the Hot Summer Nights Concerts in Vail. Visit historic Central City and try your luck at one of the area's casinos. Or come to the River Run Annual Bluegrass and Beer Festival and Fiddle Contest and Bluegrass Concert in the Park Lane Pavilion at Keystone Resort. Sip on a tall cool one, grab a dance partner, marvel at the talents of the best fiddlers and watch the state's best lumberjacks compete for the title. And what would the Fourth of July be without the Greeley Independence Stampede, which is home to the largest Fourth of July Rodeo in the nation.

Mr. Speaker, we appreciate all that the nation has done to assist us in fighting wildland fire. But there is nothing like a summer in Colorado. Colorado is open for business. Come one, come all and enjoy Colorful Colorado.

HONORING COLONEL JAMES E. PALLAS III, INSPECTOR GENERAL OF THE DEFENSE COMMISSARY AGENCY ON THE OCCASION OF HIS RETIREMENT

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. FORBES. Mr. Speaker, I rise today to honor a true American patriot who has committed his entire career in the service of the American people. Colonel James E. Pallas III, United States Air Force, is retiring from duty bringing to a close his admirable 30-year military career.

A 1970 graduate of the University of Georgia, Colonel Pallas has served his country in the extreme temperatures of the globe as director of housing and services for the Alaskan Air Command Headquarters, at Elmendorf AFB, Alaska, and as food and service officer for the 43rd Combat Support Group, at Andersen AFB, Guam. During his distinguished service Colonel Pallas was awarded the Legion of Merit, the Meritorious Service Medal with four oak leaf clusters, the Joint Services Commendation Medal, the Air Force Commendation Medal with one oak leaf cluster, and the Humanitarian Service Medal with second device.

In his most recent assignment Colonel Pallas served as inspector general for the Defense Commissary Agency, Fort Lee, Virginia. In this position Colonel Pallas was responsible for inquiring into and reporting on matters affecting mission performance and the state of the economy, efficiency, discipline, and morale within an agency that controls the procurement, distribution and sales of a worldwide food supplier to our military and their families.

Mr. Speaker, I rise today as the Representative of the citizens of Virginia's 4th District to congratulate Colonel Pallas on his magnificent career and to thank him for his long service to America. Please join me in wishing Colonel Pallas happiness for the future and thank him for his dutiful dedication to the United States of America.

IN HONOR OF THE NORTH BETHESDA MIDDLE SCHOOL

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mrs. MORELLA. Mr. Speaker, I rise today to honor and congratulate the students, faculty, and parents of the North Bethesda Middle School on a meaningful and exciting achievement. Over the past 6 years, the North Bethesda Middle School community has collected over 10,000 new and used books to donate to needy children in Montgomery County and throughout the greater Washington area.

This year alone, the program donated over 2,000 books to disadvantaged children in their fight against illiteracy. The school community has been recognized for their charitable efforts by the Montgomery County Sentinel and by many other local organizations. Today I add my voice to all those saying ''thank you'' to the North Bethesda Middle School community for all their hard work.

These students, teachers, and parents understand that excellent reading skills and a quality education are the cornerstones of a young person's upbringing and development. The students of North Bethesda have already had a profound impact on the lives of children they may not ever meet. Their pure sense of charity, compassion, and concern should inspire all of us.

As a former teacher, I believe that each one of us can have an impact on a young person's future. It is my hope that through the continuation of this successful program, and others like it, the lives of disadvantaged children around the country will be forever changed for the better.

Mr. Speaker, I encourage all members of the education community to look towards this wonderful and successful effort as an example of an outstanding educational initiative. I encourage all young Americans seeking to serve their community to follow these students' lead. Again, Mr. Speaker, I congratulate everyone at North Bethesda Middle School, especially Principal Joan Carroll, and thank them all for their work on this great project.

PAYING TRIBUTE TO DALE ORENDORFF

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. MCINNIS. Mr. Speaker, it is with a solemn heart that I take this opportunity to pay respect at the passing of Dale Orendorff, who died unexpectedly at the age of 79. Dale became a pillar of the Montrose, Colorado community after relocating there in 1984 and, as his family mourns his loss, I think it is appropriate to remember him at this time and pay tribute to the contributions he made to Colorado throughout his life.

Dale Orendorff was born on September 7, 1922 in Columbus, Nebraska, the son of John and Loa Mabel Bernard. He spent his formative years in Central City, Nebraska, where he received his elementary schooling. One day after the historic Japanese attack on Pearl Harbor, Dale proudly heeded the call to defend our nation, enrolling in the United States Army Air Corps at the age of 19. His service to our nation in time of war served as a testament to the character of a man whose devotion to family and country was evident to all of those who crossed his path.

Dale was a shining example of civic-minded devotion to his community. He was a member of the Methodist Church of Montrose, as well as Elks Lodge No. 1053. An avid outdoorsman, Dale's love of fishing dated back to his youth. As he grew older, he took up the game of golf, which became one of his favorite avocations.

Mr. Speaker, it is my privilege to pay tribute to Dale Orendorff for his contributions to the Montrose community. His dedication to family, friends and community certainly deserves the recognition of this body of Congress. Although Dale has left us, his good-natured spirit lives on through the lives of those he touched. I would like to extend my thoughts and deepest sympathies to Dale's family and friends during this difficult time.

COMMENDING SUPERVISOR DON KNABE

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. GARY MILLER of California. Mr. Speaker, I rise to commend Supervisor Don Knabe, who was first elected to the Los Angeles County Board of Supervisors in November of 1996. He ran unopposed for his second term and was re-elected in March of 2000. Don is the first chief-of-staff ever elected to the Los Angeles County Board of Supervisors.

A community leader for 30 years, Don is noted for his attention to detail and ability to see the overall big picture. The strength of his grassroots support and considerable experience in local government have made him a highly regarded voice, not only at home in the fourth district, but in both Sacramento and Washington, DC.

Don is currently the chairman of the Southern California Regional Airport Authority and also represents the County of Los Angeles on the Southern California Regional Rail Authority (Metrolink), the Alameda Corridor Transportation Authority, and the Large Urban County Caucus of the National Association of Counties (NACo). He also serves on the Board of Directors for the Metropolitan Transportation Authority (MTA). In addition to various other appointments and commissions, Don is an executive board member of the California State Association of Counties (CSAC) and a member of the Asian Business League and L.A. Care Board of Governors.

Before joining the U.S. Navy as a young man, Don earned a bachelor's degree in business administration from Graceland University in Lamoni, Iowa. Shortly after receiving his honorable discharge, he moved west to California, where he met his wife, Julie, and settled in the city of Cerritos.

Don spent 2 years as a member of the Cerritos Planning Commission before being elected to the Cerritos City Council in 1980. He served as a councilman for 8 years, including two terms as mayor, and was a leader in the development and implementation of the city's General Plan during a time of unprecedented economic expansion. Today, Cerritos is regarded as a national model of sensible growth.

Don Knabe has truly exemplified every aspect of what it entails to serve the diverse needs of the district's two million constituents. Thank you, Don, for your hard work and willingness to make such an outstanding difference in the lives of many Americans.

IN RECOGNITION OF ALICIA IRMA BONILLA

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Ms. SOLIS. Mr. Speaker, I rise today to recognize the numerous contributions of one of my constituents, Mrs. Alicia Irma Bonilla.

Mrs. Bonilla has served the students and schools in the city of Azusa for over 40 years through countless hours of volunteer service.

Her years of dedicated service have made a significant improvement in our schools and our community.

While working full time at the Good Samaritan Credit Union, Mrs. Bonilla also managed to be involved in schools such as Valleydale Elementary, Ellington Elementary, Center Middle School, Foothill Middle School and Gladstone High School. For the past two years, Mrs. Bonilla has served as Azusa Council Parent Teacher Association (PTA) President and the past 6 years at First District PTA. Mrs. Bonilla has also contributed her time to the Girl Scouts, Little League, Helping Hand, and Azusa Youth Programs. Her years of hard work and dedication earned her the prestigious PTA Golden Oak Award and Lifetime Achievement Award.

In addition to working witii the city's youth, Mrs. Bonilla has contributed her time to local community and senior organizations like the Azusa Golden Days Activities, UMAYPA, Healthy Start Families, and Azusa Citizens' Congress. Mrs. Bonilla has also served as a religious education teacher, financial council secretary and Eucharistic minister for Our Lady of Guadalupe Church since it opened its doors 35 years ago.

Mrs. Bonilla and her husband Joseph have four grown daughters, Carol, Sandra, Annette and Terri, who have gone through the Azusa Unified School District. Mrs. Bonilla is a role model to many children, including her own. Her youngest daughter, Terri, currently dedicates numerous hours to our schools and community.

Mrs. Bonilla is a woman who has served our community with her heart, mind and soul. Countless families have benefited from her kindness and generosity. I am thankful to Mrs. Bonilla for her commitment to our community and would like to honor her today.

EXPLAINING SEPTEMBER 11TH TO FUTURE 4TH GRADERS

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. ISRAEL. Mr. Speaker, I commend the following letter to you and all of our colleagues. Nicole Jean-Marie Bansen read this letter at the Lindenhurst Memorial Day Ceremony on May 27, 2002. An elementary school student from Long Island, Nicole directed the letter to future 4th graders so that they might better understand September 11 based on her own experience. Like Nicole, I believe that we must help preserve the memory of that tragic day by sharing our stories with future generations.

DEAR FUTURE FOURTH GRADER, September 11, 2001 was a tragic day. I'm writing this letter to tell you what really happened. I was in school when it happened. That was the day that jet planes hit the Twin Towers, and soon both collapsed. Tower One was hit first. Within the next hour, Tower Two was also hit. Time seemed to freeze. Everyone just stopped what they were doing to see what happened in disbelief It was like a nightmare coming true!

When I found out what had happened, my heart felt like it was shattered, just like the Twin Towers. After school, my brother and Mom told me to watch the news. I turned on the television and saw both planes crashing into the Twin Towers. A friend of our family's worked on the 72nd floor of Tower One, I was afraid that he might be killed, like so many others. He made it out of the building in minutes before it collapsed!

I was affected by this tragedy in a sad way because I will not see the Twin Towers anymore, and so many innocent people died. In the future, people should never forget this day, and always remember all the people who died. I believe parents should tell their children the truth about what happened when they are old enough to understand, so they aren't frightened. Your friends and you will learn about this day in your Social Studies class in school, if your parents didn't already tell you about it.

I hope this terrorist act never happens again. Hopefully you will never know the ''evil'' word, terrorism. But, if something like this does happen again, I am sure that everyone will be very sad. I am so glad to be an American, because of our freedom and people staying united through difficult times.

Sincerely.

NICOLE JEAN-MARIE BANSEN.

PAYING TRIBUTE TO MOUNTAIN STATES LEGAL FOUNDATION

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. MCINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to the Mountain States Legal Foundation, an organization that has selflessly led efforts to sustain and improve the interests of the community. I applaud the efforts of each and every individual that made it possible to build the new foundation's headquarters.

The Legal Foundation celebrates its 25th anniversary by dedicating its new headquarters on June 6, 2002. The vision and determination of MSLF, has produced a state of the art, professional building, located in the suburbs of Denver, Colorado. MSLF was established to advocate the quest for free enterprise and maintain the country's laws established and preserved by the Constitution. On June 6th, their 25th birthday, I pay tribute to MSLF's accomplishments and relocation to their new location.

MSLF extends its outreach to the communities and businesses seeking assistance. Many of MSLF's activities include conservation and preservation of our natural resources and environment. MSLF has assisted in the fight to preserve and protect our wetlands and national forests. MSLF has defended our rights and liberties within the judiciary system. It is because of foundations and organizations like MSLF, that we are able to live in this nation of freedom.

Mr. Speaker, it is with great pride I honor such an outstanding organization before this body of Congress and this nation. The Mountain States Legal Foundation contributes so much to our nation and community, it is fitting they celebrate 25 wonderful years. Thank you to all individuals who worked hard and diligently to reach these outstanding achievements.

TRIBUTE TO SERGEANT JOSE M. LOPEZ

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. ORTIZ. Mr. Speaker, I rise to pay tribute to a special South Texan, Sergeant Jose M. Lopez, recipient of a World War II Congressional Medal of Honor. For his courageous and selfless actions on the battlefield, this man is truly a great American patriot.

In response to the call of duty, Sergeant Lopez almost single handedly engineered his company's successful withdrawal under heavy enemy small arms fire near Krinkelt, Belgium on December 17, 1944. On his own initiative, he repeatedly repositioned his heavy machine gun to critical points along his company line, which led to over one hundred enemy deaths and saved the lives of numerous American soldiers. For these efforts, Sergeant Lopez deserves the admiration and gratitude of the American people.

It is especially appropriate that we honor this soldier today on America's Independence Day. Although the American colonists were victorious in the revolutionary war two hundred nineteen years ago, the American pursuit of liberty did not end there. Throughout the past two centuries, young Americans like Sergeant Lopez have fought to preserve our country's values both inside and outside its borders. In this struggle, one of our most valuable resources has been our soldiers and their dedication to upholding American ideals.

This July 4th, as we celebrate the birth of our beloved nation and all it means to us in the 21st century, we must acknowledge the brave and selfless actions of dedicated American soldiers like Sergeant Lopez. Through his courageous military service, Sergeant Lopez has done his part to ensure that America may celebrate its independence year after year.

This year, we will honor Sergeant Lopez with a statue in front of the Veterans Memorial Bridge in Brownsville, Texas, to commemorate his contribution to American military history. Thanks to brave soldiers like Sergeant Lopez, we retain our freedom and we protect democracy around the world. I ask all my colleagues to join me in commending Sergeant Lopez's sacrifice for our nation.

HONORING STAN ROGER ARTERBERRY

HON. MIKE THOMPSON

OF CALIFORNIA

HON. DOUG OSE

OF CALIFORNIA

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. THOMPSON of California. Mr. Speaker, we rise today to recognize Stan Roger Arterberry who is resigning as Superintendent-President of Solano Community College after eight years of distinguished service to the community.

Mr. Arterberry began his career with the California Community Colleges in 1974 as an

Assistant Professor of Sociology and History at Riverside City College.

He moved into college administration in 1980 as the Assistant Dean of Student Affairs at Riverside.

In 1983 he transferred to West Hills Community College as Dean of Community Based Education. Three years later he was named Vice President for Academic/Student Services. He eventually became Superintendent/President of the district and served in that capacity until 1993 when he was named President of Merritt College.

He became President/Superintendent of the Solano Community College District in 1994.

During Mr. Arterberry's tenure, the college initiated the future development of programs with Sacramento State University and Sonoma State University to provide students the ability to achieve a four-year degree in Solano County.

Among Mr. Arterberry's innovations were the Weekend College, courses at Travis Air Force Base and online courses. He also encouraged the increased use of technology for services and programs for students and employees.

The Biotechnology Program, one of the cornerstones of Solano Community College, continued to grow and develop under Mr. Arterberry's leadership.

In addition to his professional responsibilities, Mr. Arterberry served as President of the Solano County American Red Cross and the Solano County Business Education Alliance. He was also an active member of the Vallejo Omega Boys and Girls Club, the Solano County Workforce Investment Board, The Vacaville Chamber of Commerce Education Committee, the Solano Economic Development Corporation, the Vallejo Chamber of Commerce and the Vacaville Select Committee on City and School Relations.

Mr. Speaker, Superintendent-President Stan Roger Arterben-y has served his college and his community well and it is therefore appropriate that we honor him today for his many contributions and wish him well in his new position as Chancellor of West Valley Mission College.

TRIBUTE TO JACOB BROTMAN

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mrs. MORELLA. Mr. Speaker, today I join with two of my constituents, Doug Dembling of Takoma Park, Maryland and Ross Dembling of Bethesda, Maryland to observe a special day in their family history. One hundred years ago today, on June 19, 1902, their matemal grandfather, Jacob Botman, proudly appeared before the U.S. District Court in New York City and became a citizen of the United States of America.

Jacob Brotman was born in Romania on September 19, 1879. With anti-sernitism on the rise in eastern Europe, Jake, as he was known, immigrated to the United States via England and Canada while still in his early teens.

On September 6, 1901, the very day President William McKiffley was fatally wounded by an assassin's bullet, Jake Brotman enlisted in the U.S. Army. He received his honorable discharge from the military on March 4, 1902. The Army's records reflect he served his adopted country during the Spanish American War as a member of the 72nd Company of the Coast Artillery. Shortly after his discharge from the Army, Jacob Brotman became an American citizen. Jake died in 1965 and is buried at the Long Island National Cemetery, New York.

Throughout his life, Jake vigorously embraced his new country, citizenship, and a strong work ethic. He treasured his citizenship, both its ideals and obligations. As Jake considered voting such an obligation, he never failed to exercise that precious right. He and his wife, Annie, raised four sons and a daughter in New York City with the same ideals. Three of his sons, Sol Brotman, Hy Brotman, and the late Oscar Brotman served in the U.S. military during World War II; his daughter, Florence Brotman Dembling, the youngest of his five children, went to work at the Pentagon during that war. Jake worked for over 40 years as a trainman in New York's elevated train system. He was very industrious and conscientious, and in order to provide for his family, he routinely worked extra shifts in addition to his 56-hour workweek. Despite his sacrifices for his family, Jake could always be counted on to help others in his community who were in need.

Mr. Speaker, later this month, I will have the pleasure of presenting an American flag that flies over the U.S. Capitol today to two of Jacob Brotman's grandsons. I know that all my colleagues in the House join me in this tribute to Jake's memory and service to his family, community, and our country,

PAYING TRIBUTE TO REX WEIMER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. MCINNIS. Mr. Speaker, it is with a profound sense of gratitude that I pay tribute to Rex Weimer as he concludes his service to the people of Collbran, Colorado after eighteen years dedicated to the town and its citizens. Rex's devotion to his neighbors and love for his community has served as a shining example of the selfless nature that is indicative of a true 'public servant.'

Rex's devotion went well beyond the job to which he was elected and he has shown such extraordinary dedication to his community in the numerous extra hours he has spent plowing snow, making repairs when asked and assisting employees whenever possible. He has personally installed a heating system in the Collbran auditorium and an air conditioning system in the new Town Hall—both tasks which he performed well above and beyond the call of duty. Rex's time spent on the board of trustees serves as a true testament to his love of Collbran.

Along with his wife Judy, Rex has been an active community member in Collbran for many years. He has served on both the street and alley and water and sewer committees. He is the Post Commander for the local American Legion and is a song leader on Sundays at the Collbran Congregational Church. Rex is a man marked by uncommon devotion to common people: he often anonymously bestows extraordinary acts of thoughtfulness on his neighbors, rarely seeking the credit he deserves.

Mr. Speaker, it is my honor to bring to the attention of this body of Congress a man whose love for his town, and whose willingness to sacrifice in its service is an inspiration to those who have lived in his community. As a public servant, Rex Weimer's time as Trustee has been an inspirational example to those of us who serve our nation in elective office. It is with gratitude for his time of service to Collbran that I recognize Rex Weimer's ongoing devotion to the people and town that he loves.

CONGRATULATING MATT KEYSER

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. UDALL of Colorado. Mr. Speaker, I rise today to praise Matt Keyser, an engineer at the Center for Transportation Technologies and Systems, part of the Department of Energy's National Renewable Energy Laboratory, based in Golden, Colorado. Matt was chosen as one of the world's 100 Top Young Innovators by the Massachusetts Institute of Technology's Magazine of Innovation, Technology Review.

I have submitted for the RECORD an article about Matt from the Arvada Sentinel, a newspaper in Arvada, Colorado. I am proud that Matt hails from NREL, which is involved in such important work trying to secure for all Americans a clean energy future. I am proud of the example Matt has set for our young people, who need models like Matt to look to as they make choices about their own careers and futures. Most importantly, I thank Matt for his contributions to our environment and to this country.

[From the Sentinel and Transcript Newspapers, June 7, 2002]

NATIONAL MAGAZINE NAMES NREL ENGINEER TOP YOUNG INNOVATOR

(By Sabrina Henderson)

An engineer in the U.S. Department of Energy's National Renewable Energy Laboratory Center for Transportation Technologies and Systems, Matt Keyser of Arvada, was chosen as one of the world's 100 Top Young Innovators by the Massachusetts Institute of Technology's Magazine of Innovation, Technology Review.

Technology Review's top-100 list recognizes young innovators for their contributions in transforming the nature of technology in industries such as biotechnology, computing, energy, medicine, manufacturing, nanotechnology, telecommunications, and transportation.

Keyser was honored May 23 during a conference and awards ceremony at the Massachusetts Institute of Technology in Cambridge, Mass. The event, called ''The Innovation Economy: How Technology is Transforming Existing Businesses and Creating New Ones,'' included a full day of conference sessions and panel discussions followed by an evening awards ceremony.

Keyser has received two patents since 1992, with three more in the works. In 2001, he and co-workers were able to significantly extend the life of lead-acid batteries used in electric and hybrid vehicles by changing the charging technique. Conventional charging techniques cause lead-acid batteries to reach the

end of their lives prematurely. But by employing a ''current interrupt'' technique, which includes turning the charging current on for a few seconds then off for a few seconds, the degradation of the battery plates is reduced. The current interrupt technique also allows the battery to cool between charges. Batteries charged this way last up to four times longer than batteries charged conventionally. Ford Motor Co. is testing the innovation in a prototype electric vehicle.

In 1997, Keyser wrapped a catalytic converter with a vacuum insulator to keep it warm longer. The warmer converter reduced toxic tailpipe emissions 80 percent by eliminating the ''cold start'' problem of waiting for the catalytic converter to heat up. Auto parts supplier Benteler Industries is developing the device.

Keyser said his selection for participation in the event with so many other innovators was a tremendous learning experience. ''It was a huge honor to be compared with people like Shawn Fanning, the creator of Napster, and Bill Nguyen, who sold his company, One Box, for $850 million because it wasn't successful enough for him,'' Keyser said. ''Speaking with the other people there sparked a lot of ideas and interest in new fields.''

VOLUNTEER OF THE YEAR AWARD

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. SKELTON. Mr. Speaker, let me take this means to congratulate and pay tribute to Robert Langdon of Lexington, Missouri, who recently was named state Volunteer of the Year by the Missouri Economic Development Council. He has distinguished himself, the Lexington community and the State of Missouri with dedicated service.

Bob Langdon was nominated for this prestigous award for his work restoring and redeveloping Lexington's downtown. He helped bring a theater to the Franklin Avenue site and helped start the Lexington Pride Organization, which assists new businesses in opening in the downtown area. He has also served as president of the Lexington Area Chamber of Commerce and he and his wife, Margie, are active proponents of the proposed 4 Life Center.

Mr. Speaker, Bob Langdon has been dedicated to making the City of Lexington and the State of Missouri a better place to live. I am certain that my colleagues will join me in wishing him all the best.

RECOGNIZING THE DISTINGUISHED SERVICE OF RICHARD L. GLOTFELTY OF PARALYZED VETERANS OF AMERICA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. SMITH of New Jersey. Mr. Speaker, as Chairman of the House Committee on Veterans' Affairs, I rise today to recognize Richard L. Glotfelty, the Associate Executive Director for Veterans Benefits of the Paralyzed Veterans of America (PVA) on his retirement this month after 23 years of distinguished service for this national veterans service organization.

Mr. Glotfelty was born and raised in Eighty-Four, Pennsylvania. He began service with PVA in 1978 as a National Service Officer in the Pittsburgh PVA Service Office. He also served in chapter level positions at the Pittsburgh-based Tri-State PVA Chapter.

Following his move to PVA's National Office in Washington, D.C. he served in a variety of senior management positions. In 1990, he was selected to direct PVA's entire veterans benefits operation, the organization's largest department. In this capacity, Mr. Glotfelty oversaw PVA's National Service Officer Program designed to provide local and regional support and assistance to PVA members and all veterans through 141 full-time staff located in 54 field offices nationwide.

He was also responsible for the development of extensive training programs for PVA's professional corps of service representatives in both veterans benefits and medical services. These programs allow PVA representatives to provide VA benefits/claims assistance and to monitor the quality and quantity of health care services in VA's Spinal Cord Injury Centers across the country.

Mr. Speaker, Richard Glotfelty served in the United States Air Force from 1966 to 1969. A crew chief on an Air Force C–130 aircraft, he sustained a spinal cord injury in the line of duty while conducting air support operations in Thailand during the Vietnam War.

During the last 23 years, through Mr. Glotfelty's service and leadership, PVA's veterans service representatives have assisted hundreds of thousand of veterans, their dependents and survivors in applying for and receiving the benefits and medical services they have earned and deserve. He and Paralyzed Veterans of America can be rightly proud of this record of achievement in service to those who have served in defense of the United States of America.

PAYING TRIBUTE TO ETHEL JACKSON

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. McINNIS. Mr. Speaker, I am happy to pay tribute to the public service career of Ethel Jackson of Delta, Colorado as she concludes forty years of service to her fellow Coloradans as a member of the Delta City Council's planning commission. Ethel's devotion to her neighbors and her love for Delta serve as a shining example of the selfless nature that marks this true 'public servant'.

Ethel, who is affectionately known as 'Lale' to her friends, was appointed to the Delta Planning Commission forty years ago, replacing one of the original members of that body upon his resignation. While many things have changed in the intervening decades—not least of which is the acquisition of a more peaceful commission meeting location—Ethel has proved a constant leader in the issues of growth and planning which have challenged the Delta area.

Mr. Speaker, it is my honor to bring to the attention of this body of Congress a woman whose love for her community, and whose willingness to sacrifice in its service, is an inspiration to those who have called Delta, Colorado ''home.'' As a public servant, Ethel Jackson's time as a member of the Planning Commission has been an inspirational example to those of us who serve our nation in elective office—her commitment and longevity are simply astonishing. It is with gratitude for her time of service to Delta that I recognize Ethel's ongoing devotion to the people and community she loves.

PERSONAL EXPLANATION

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. GILMAN. Mr. Speaker, On Monday, June 17th, I was unable, due to Congressional duties in New York, to vote on Roll call Number's 230, 231, and 232. If I had been present I would have voted ''aye'' on all three Roll call votes. I ask unanimous consent to have my statement placed in the RECORD at the appropriate point.

INTRODUCTION OF THE ''PARTIAL-BIRTH ABORTION BAN ACT OF 2002''

HON. STEVE CHABOT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. CHABOT. Mr. Speaker, today, on behalf of a bi-partisan coalition, I have introduced the ''Partial-Birth Abortion Ban Act of 2002.''

Partial-birth abortion is the termination of the life of a living baby just seconds before it takes its first breath outside the womb. The procedure is violent. It is gruesome. It is infanticide.

The ''Partial-Birth Abortion Ban Act of 2002'' would ban this dangerous procedure in which a physician delivers an unborn child's body until only the head remains inside the womb, punctures the back of the child's skull with a sharp instrument, and sucks the child's brains out before completing delivery of the dead infant. The great majority of these abortions are performed on unborn infants from the 20th to the 26th week of pregnancy and more often than not on the healthy babies of healthy mothers. The ''Partial-Birth Abortion Ban of 2002'' is similar to the previous bans on partial-birth abortion approved by the House in that an abortionist who violates the ban will be subject to fines or a maximum of two years imprisonment, or both; a civil cause of action is established for damages against an abortionist who violates the ban; and a doctor cannot be prosecuted under the ban if the abortion was necessary to save the life of a mother.

A moral, medical, and ethical consensus exists that the practice of performing a partial-birth abortion is a gruesome and inhumane procedure that is never medically necessary and should be prohibited. Rather than being an abortion procedure that is embraced by the medical community, particularly among physicians who routinely perform other abortion

procedures, partial-birth abortion remains a disfavored procedure that is not only unnecessary to preserve the health of the mother, but in fact poses serious risks to the long-term health of women and in some circumstances, their lives. It is also a medical fact that the unborn infants aborted in this manner are alive until the end of the procedure and fully experience the pain associated with the procedure. As a result, at least 27 states banned the procedure, as did the United States Congress which voted to ban the procedure during the 104th, 105th, and 106th Congresses. Unfortunately, the two federal bans that reached President Clinton's desk were promptly vetoed. Although the House of Representatives overrode both Presidential vetoes, the Senate failed to do so.

Then, two years ago in Stenberg v. Carhart, the United States Supreme Court struck down Nebraska's partial-birth abortion ban as an ''undue burden'' on women seeking abortions because it failed to include an exception for partial-birth abortions deemed necessary to preserve the ''health'' of the mother. Thus the Court essentially rendered null and void the reasoned factual findings and policy determinations of at least 27 state legislatures that this gruesome, inhumane, and dangerous procedure should be banned.

The Stenberg Court based its conclusion ''that significant medical authority supports the proposition that in some circumstances, [partial birth abortion] would be the safest procedure'' on the trial court's factual findings regarding the relative health and safety benefits of partial-birth abortions—findings which were highly disputed. Yet, because of the highly deferential ''clearly erroneous'' standard of appellate review applied to lower court factual findings, the Stenberg Court was required to accept these questionable trial court findings.

Those factual findings are inconsistent with the overwhelming weight of authority regarding the safety and medical necessity of the partial-birth abortion procedure—including evidence received during extensive legislative hearings during the 104th and 105th Congresses—which indicates that a partial-birth abortion is never medically necessary to preserve the health of a woman, poses serious risks to a woman's health, and lies outside the standard of medical care. In fact, a prominent medical association has concluded that partial-birth abortion is ''not an accepted medical practice,'' and that it has ''never been subject to even a minimal amount of the normal medical practice development.'' Thus, there exists substantial record evidence upon which Congress may conclude that the ''Partial-Birth Abortion Ban Act of 2002'' should not contain a so-called ''health'' exception, because to do so would place the health of the very women the exception seeks to serve in jeopardy by allowing a medically unproven and dangerous procedure to go unregulated.

Although the Supreme Court in Stenberg was obligated to accept the district court's findings regarding the relative health and safety benefits of a partial-birth abortion due to the applicable standard of appellate review, Congress possesses an independent constitutional authority upon which it may reach findings of fact that contradict those of the trial court. Under well-settled Supreme Court jurisprudence, these congressional findings will be entitled to great deference by the federal judiciary in ruling on the constitutionality of a partial-birth abortion ban. Thus, the first section of the ''Partial-Birth Abortion Ban Act of 2002'' contains Congress's factual findings that, based upon extensive medical evidence compiled during congressional hearings, a partial-birth abortion is never necessary to preserve the health of a woman.

The ''Partial-Birth Abortion Ban Act of 2002'' does not question the Supreme Court's authority to interpret Roe v. Wade and Planned Parenthood v. Casey. Rather, it challenges the factual conclusion that a partial-birth abortion may, in some circumstances, be the safest abortion procedure for some women. The ''Partial-Birth Abortion Ban Act of 2002'' also responds to the Stenberg Court's second holding, that Nebraska's law placed an undue burden on women seeking abortions because its definition of a ''partial-birth abortion'' could be construed to ban not only partial-birth abortions (also known as ''D & X'' abortions), but also the most common second trimester abortion procedure, dilation and evacuation or ''D & E.'' The ''Partial-Birth Abortion Ban Act of 2002'' includes a new definition of a partial-birth abortion that clearly and precisely confines the prohibited procedure to a D & X abortion.

Despite overwhelming support from the public, past efforts to ban partial-birth abortion were blocked by President Clinton. Now, we have a President who is equally committed to the sanctity of life, a President who has promised to stand with Congress in its efforts to ban this barbaric and dangerous procedure. It is time for Congress to end the national tragedy of partial-birth abortion and protect the lives of these helpless, defenseless, little babies.

CONDEMNATION OF THE USE OF TERROR AGAINST INNOCENT ISRAELI CIVILIANS

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. KNOLLENBERG. Mr. Speaker, I rise today to express my condolences to the families of the 20 victims in yesterday's bus bombing in Israel, and to add my voice to the calls of condemnation against the continued use of terror as a weapon against innocent Israeli civilians. Horribly, yesterday's attack again included the targeting of children, from high school students to 10-year-olds.

On September 11, 2001, Americans faced the horror of terrorism in a way we never faced it before. Now, we live in fear knowing terrorist networks throughout the world are actively seeking to attack our country again to kill Americans. In order to protect America, and our allies, we launched the global war on terrorism. The use of terror as a weapon must be opposed and fought against, in the Middle East, in Asia, in South America, and throughout the world. As the leader in the war on terrorism, we cannot afford to falter.

However, in the Middle East, Israel is a victim of terrorist attacks every week. Sadly, yesterday's attack was only the latest in a continual effort by Palestinian terrorists to kill Israeli civilians, including children. The intent of these attacks is clear: to instill fear and terror within the Israeli people. Now every decision an Israeli makes—whether to go to a restaurant, whether to go to school, or whether to get on a bus—can be a life or death choice. In response, Israel, like America, has taken action to defend itself.

The United States is the world's defender of democracy and freedom. And Israel is the only democracy in a part of the world that has known no other democracy. Together we stand for the principle of freedom and the right to live in peace without the threat of terrorist attack. And we stand together in the fight against terrorism. America has asked the world to join us in the fight against terrorism. Israel is on the front lines. We must continue to support Israel, financially, diplomatically, and by whatever means are necessary.

Throughout my career in Congress I've been a supporter of the peace process and strengthening the relationships with our allies in the Middle East. For the last eight years I've been a member of the Appropriations Subcommittee on Foreign Operations. In my position on the Committee I've strongly advocated for military and economic assistance to Israel, our principal ally in the region, to help keep it strong and prevent an attack by its neighbors. I've also supported funding for Egypt and Jordan, which is a direct result of peace agreements these countries have signed with Israel. And I've supported humanitarian assistance to the people of Lebanon, the West Bank, and Gaza, through non-govemmental organizations, to help bring greater stability to those areas.

But no amount of funding can bring what is now necessary for progress in the Middle East: an end to Palestinian terrorism. No nation can negotiate with terrorists and no terrorist can be rewarded.

Despite the commitments Yasser Arafat has made to fight against terror, his actions have not met his words. Time and time again he's passed up opportunities, betraying the people he's supposed to lead. Arafat is either unwilling or incapable of bringing and end to terrorist attacks against Israel.

Mr. Speaker, I support a two-state solution to the Israeli-Palestinian conflict, and I support greater dignity for the Palestinian people. But I do not support the creation of a state that either supports or enables the use of terror as a weapon. Before the United States recognizes the creation of a Palestinian state, we must have the assurance that the leader of that state will do everything in their power to consistently, unambiguously, and effectively fight against terrorism. Without that assurance, we may only be increasing the likelihood of more horrific attacks like the one yesterday in Israel.

PAYING TRIBUTE TO BILL DUNHAM

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. McINNIS. Mr. Speaker, it is with a profound sense of gratitude that I pay tribute to Bill Dunham as he concludes his service to the people of Meeker, Colorado after six years as their mayor. Bill's devotion to his neighbors and love for the town in which he was born has served as a shining example of the selfless nature that is indicative of a true public servant.

Bill left Meeker to attend Colorado State University, returning with his wife Diane (Franklin) Dunham to raise their two children. He has been active in serving the people of his hometown ever since, spending the last thirteen years as a member of the Town Council. Bill is also a Water Commissioner for the State of Colorado, as well as a past president of the Farm Bureau and Stock Growers Association.

During his time as Mayor, Bill led Meeker through a series of improvement projects including major renovations to the Sulphur Creek drainage way, the replacement of the 10th Street Bridge, and the acquisition of a new building to serve as Town Hall. However, Bill's term as Mayor will be remembered not only for the physical improvements he made to the Town of Meeker, but also for the devotion he so evidently had for the community. That devotion was rewarded when he was chosen to represent Meeker in his capacity as Chairman for Associated Governments of Northwestern Colorado.

Mr. Speaker, it is my honor to bring to the attention of this body of Congress a man whose love for his hometown, and whose willingness to sacrifice in its service is an inspiration to those who have lived in his community. As a public servant, Bill Dunham's time on the Town Council, including his six years as Mayor, has been an inspirational example to those of us who serve our nation in elective office. It is with gratitude for his time of service to Meeker that I recognize Bill Dunham's ongoing devotion to the people and town that he loves.

TRIBUTE TO MS. LOUELLA C. ALLEN

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. THOMPSON of Mississippi. Mr. Speaker, I stand today to pay tribute to Ms. LouElla C. Allen, a native of Canton, MS. Ms. Allen has done numerous deeds for her community and still continues today.

Ms. Allen has been a dedicated teacher at Linwood Schools (Yazoo County) for more than 13 years and has served diligently for the betterment of ones around her and also her community. Ms. Allen is an active member of the Mount Olive Missionary Baptist Church where she serves as Youth Department Director. She is also an active participant in her church's choir.

Ms. Allen is a good mother, who is greatly admired by her children, peers, and coworkers. Ms. Allen is truly the epitome for what a ''role model'' should be. She serve in such capacities which consist of leader, advisor, guide, and inspirer. She has and always will touch the lives of the people around her.

Ms. Allen is the driving force for the successful paths of many citizens in my District. She should truly be thanked. Her strength and leadership have been the main reason why this single mother's children have done as well as they have. Her early teachings gave her daughter the will and determination to receive her Masters from the Alcorn State University in Administration, and her oldest son, the sound mind to finish his Bachelors Degree in Computer Networking and her youngest, the insight to become an intern in my Washington office who will attend The University of Southern Mississippi.

REVEALING ''DEMAGOGUERY-BY-NUMBERS''

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. BEREUTER. Mr. Speaker, this Member wishes to commend to his colleagues an editorial from the June 18, 2002, edition of the Omaha World Herald entitled ''Honest Accounting of Casualties.''

While Americans certainly have the right to express their views on the current war on terrorism, they also have a responsibility to use accurate facts when conveying their positions.

HONEST ACCOUNTING OF CASUALTIES

The Los Angeles Times has performed an extensive study of civilian casualties in Afghanistan and concluded that the dead numbered between 1,067 and 1,201. Every such death is uniquely regrettable, but that's significantly below numbers offered by critics of the U.S. military action last year, such as the 3,700 figure cited in one much-ballyhooed report last winter.

During the U.S. bombing campaign, at least one anti-war Web site included a graph that showed the alleged number of Afghan civilian dead climbing day by day to equal and then surpass the 3,000-plus casualties of 9/11. Analyses by the L.A. Times and other news organizations have now exposed that claim as baseless.

Even worse was the claim of 10,000 casualties put forward by cartoonist/commentator Ted Rall in an April 17 opinion column.

Matt Welch, a Los Angeles-based commentator, is on the mark when he says, ''This continues to be an interesting litmus test for the anti-war movement's sense of peer review and fidelity to facts.''

The analysis by the Los Angeles Times underscores how the U.S. military went to enormous lengths last year to minimize harm to Afghan civilians. That fact illustrates the vast moral difference that separated the American bomber pilots from the al-Qaida hijackers of 9/11.

A minority of Nebraskans and Americans continues to voice sincere opposition to action by the U.S. military. Room should be made for their dissenting voices. Some of their colleagues in the anti-war camp, however, have discredited themselves on the issue of civilian casualties. It is appropriate that their demagoguery-by-numbers has been revealed for the sham it was.

RECOGNITION OF KYRIN CHRISTIAN RUTH

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. ROGERS of Michigan. Mr. Speaker, today I rise in recognition of Kyrin Christian Ruth of Fenton, Michigan. This young boy demonstrated incredible courage and maturity by taking charge in a crucial moment of emergency, thereby saving the life of his father, Jeffrey A. Ruth.

On the evening of April 5, 2002, Jeffrey A. Ruth suffered a seizure caused by the disorder status epilepticus. Seven year-old Kyrin heard his father's fall from the other room and rushed to his side. Following the procedure taught to him in case of this emergency, Kyrin called 911 and provided them with all of the information necessary to send a response team to the house. As Jeffrey was rushed to the hospital, Kyrin told the police that he and his 5-year old sister could stay with friends across the street until their mother arrived home. Kyrin continued to show amazing presence of mind by calmly phoning their mother who was out of town, and informing her of the evening's events.

Kyrin Ruth is truly an example for all of our young people. His parents prepared him for an emergency, and their training clearly made a difference. I commend Kyrin Christian Ruth of Fenton, Michigan for all of his courage and presence of mind, and call on my colleagues to do the same.

HONORING JUANITA CANNON

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. DUNCAN. Mr. Speaker, Knoxville's ''hugging principal'' has retired.

One of our leading educators, Juanita Cannon, has retired after 40 years of outstanding work with young people.

Mrs. Cannon was a teacher for 26 years before becoming a principal.

She taught health, physical education, sociology, and biology and coached tap dancers, cheerleaders, and girls basketball and volleyball teams.

She became known as the ''hugging principal'' because no one, parents, students, teachers, came to her school without getting a hug.

She could have retired five years ago, but she chose instead to take on one of the toughest assignments in the Knox County School System.

She became principal of the Transition School, overseeing students who had been in criminal trouble or who had been determined to be unruly and out-of-control at other schools.

She said: ''When someone would ask me if I worked with criminals, I would say 'Excuse me. I work with young men who made a bad choice. They just got caught. They served their time.'''

She is a woman who knows there is some good even in the worst people and she worked to try to bring out the best in everyone.

Knoxville City Councilman Raleigh Wynn said: ''Juanita had a way of getting along with the worst of the worst and the best of the best. She didn't show partiality with people.''

She jokingly referred to herself as my spouse since she used my spouse's ticket to the 1993 inauguration of President Clinton.

I want to congratulate her on her retirement and on her 40 years of service to young people.

This Nation is a better place because of the dedication and simple human kindness of Juanita Cannon.

PAYING TRIBUTE TO THE HIGH NOON ROTARY CLUB OF DURANGO

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to the High Noon Rotary Club, an organization that has selflessly worked towards the creation of the new Rotary Youth Park Amphitheater in Durango, Colorado. The work of President Petra Lyon, Jeff Brown and the Board of Directors of the High Noon Rotary Club is responsible for many welcomed additions to the Durango community, not least of which is this new Rotary Youth Park which is to be dedicated this week.

The creation of this Rotary Youth Park has been several years in the making, beginning as the High Noon Rotary Club quickly capitalized on the idea of building a youth park for the children of Durango. By organizing a string of meetings with the City of Durango Parks and Recreation Department director Cathy Metz in the summer of 1999, the first steps were taken towards the reality of a new youth park. In November of that year it was decided that the plans for the Rotary Youth Park would be pursued along with the possibility of several other outdoor facilities, which would be located close to the new Durango Community Recreation Center. The fact that this dream has become reality is a testament to the commitment and vision, which the entire High Noon Rotary Club has for the entire Durango community. Funds from the annual High Noon Rotary Golf Tournament were collected over a three-year period and in January of 2000 the board committed a substantial check for the construction of the Rotary Youth Park.

Since its founding on May 1, 1979, the High Noon Rotary Club has shown an unmatched passion for the children of Durango. After 23 years, the club's service remains focused on projects that support youth while also beautifying the Durango community. The Durango Rotary Club has created numerous valuable public parks and meeting spaces, including the original High Noon Rotary Park in downtown Durango and the Durango Animas River Trail. Furthermore, over the years the High Noon Rotary Club has also been responsible for constructing the new soccer fields at the Animas Valley School.

Mr. Speaker, I am proud to celebrate the opening of the new Rotary Youth Park Amphitheater and to applaud the hard work and dedication displayed by the High Noon Rotary Club. The Rotary is an invaluable part of the Durango community and their commitment to the youth of Durango serves as an inspiration to us all. My appreciation goes to the High Noon Rotary Club for all their efforts.

TRIBUTE TO STEVE KLONNE

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. SCHAFFER. Mr. Speaker, I rise today to recognize and congratulate Coach Steve Klonne of Cincinnati, Ohio. For 19 years, Coach Klonne served as the Head Coach of the Moeller High School Fighting Crusaders football team. He provided a total 23 years of leadership and guidance to the Moeller family. For his dedication to the students of Moeller and constant pursuit of excellence, Mr. Speaker, the United States Congress commends Coach Klonne and wishes him continued success.

Klonne's teams went 169–48 and won state titles in 1982 and 1985. In 2001, Klonne's final season at Moeller, the team finished 9–2. In 1982 USA Today named Coach Klonne the nation's ''Coach of the Year'' based upon his achievement and exemplary leadership.

Throughout Coach Klonne's career, he has been an inspiration, always challenging his players to strive for excellence. He taught the men of Moeller to understand no goal is beyond their reach.

Mr. Speaker, I am a proud graduate of Moeller High School, a member of the Class of 1980. During the late 1970's, I was fortunate to play for Coach Klonne. At that time, he was an assistant coach, and I was a split end on the offensive line. I remember the long grueling practices and the endless drills. I will never forget the thrill of winning the 1979 Ohio state championship and the excitement of learning our team was ranked first in the nation. Coach Klonne taught us how to play as a team, to respect each other and to love the game of football, but most of all, he showed us, by example, how to be champions. Our success was due, in part, to the character lessons we learned from Coach Klonne.

I remember most vividly the passionate delivery of a spontaneous lecture on life and morality. Coach Klonne's sage observations and advice to a room full of spellbound young men are words none of us are likely to forget. In fact they have guided me from that moment on. The team was heading into the playoffs for the Ohio State Championship and we were one day away from facing our most formidable opponent.

The coaching staff gathered all the senior players in the old Bill Clark weight-training shed. It was cold and raining outside and the small room barely held us all. I remember teammates sitting on the floor, on the edge of benches, and some could only stand. I sat on a pile of weights.

Instead of the usual pre-game pep talk and strategy session, one-by-one, the coaches addressed us as young men who, through four years of hard work, discipline, and adversity, had become close friends and teammates. Finally, it was Coach Klonne's turn. In a tone we had never heard from him previously, Coach Klonne spoke to us as a father. He reminded us that football was just a sport, but explained to us how a team sport and a Marianist education could provide important lessons upon which we could rely for the rest of our lives—if only we were wise enough to listen and take full advantage of them.

He spoke about courage, honor, honesty, trustworthiness, morality, and most essential of all, faith in God and the importance of living as disciples of Jesus Christ. ''Sometimes you will veer from the path to glory,'' he said. ''But times like these combined with unyielding faith in God will always bring you back, and that's why I'm proud of you all and what you have become. As men, you're the finest.'' That speech has stuck with me for 23 years and is part of the reason I'm in Congress right now.

I learned how to win at Moeller. Steve Klonne was my coach.

Moments like these, and teachers Mr. Klonne are the essence of the Moeller tradition—a tradition that has inspired thousands of students, graduates, and families.

Steve Klonne is a great teacher. He is a man of high honor and profound dignity. A great coach at Archbishop Moeller High School in Cincinnati, Ohio, Steve Klonne is also a truly great American. He not only makes his community proud, he has enriched the lives of countless students, including me, and he continues to do so today. He is first class, all the way.

I ask the House to join me in extending its warmest congratulations and commendation to Coach Steve Klonne.

HONORING WILLIAM FITZGERALD SONNTAG AND THE ARC OF A SPECIAL EDUCATION

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. TOM DAVIS of Virginia. Mr. Speaker, I would like to take this opportunity to honor Mr. William Fitzgerald Sonntag, upon the completion of the Fairfax County Public School's special education program.

On June 17, 2002, Bill Sonntag will join his friends in the Class of 2002 to take part in commencement. It will be a very proud day for the Sonntags and all families of graduating seniors. Similar ceremonies will be taking place in thousands of communities throughout the Nation this month. To be sure, each event will be a milestone marking the tangible achievements of each student's personal and academic development, while symbolizing the threshold to adulthood and quest toward one's highest potential in life.

Bill is a most remarkable young man with autism and mental retardation whose gentle determined spirit has defied the limits of these disabilities which have been present since his birth in Virginia on May 29, 1980. Throughout a public school education, which began in the pre-school program at Prince William County's Ann Ludwig School in 1983, Bill has been guided, supported, and encouraged by a loving family and scores of truly dedicated teachers, classroom aides, occupational and speech therapists, school staff members, custodians, bus drivers and bus aides, School Age Child Care staff, and vocational and transition counselors.

During the arc of his special education in Prince William and Fairfax County Public Schools, many genuinely kind and thoughtful teachers and mainstream students have gone out of their way to include Bill and his classmates in the social fabric of student life beyond the walls of their classroom. The simple things that some students might take for granted—recognizing each other in the hall, eating together at lunch, enjoying the camaraderie in ''PE'' class, sitting together at assemblies, going on field trips, attending a dance, listening to music, and appreciating the everyday gestures of friendship—have been as key to Bill's special education as they have been for those mainstream students who have undoubtedly learned much about their own character. The obvious enthusiasm Bill displayed

each day in raising the American flag over Cooper Middle School several years ago, still offers a lasting example of pride in school and love of country for us all.

In spite of many communications challenges, Bill and his special education classmates offer a unique and engaging ability to inspire people of all ages to see past the disabilities and to focus on each individual's enormous value and potential. Everywhere he travels in the course of a day, he teaches people to smile with him rather than to stare at the circumstances of his disabilities. In this respect, the most encouraging aspect of Bill's personal academic achievement can best be seen in those whom he has educated and influenced along the way.

In Bill's case, commencement marks more than just the beginning of his transition to a productive and promising supported-employment opportunity secured through the coordinated efforts of the Fairfax County Public Schools, Fairfax-Falls Church Community Services Board, and the Virginia Department of Rehabilitative Services. It also marks the opportunity for many other Fairfax County Public School graduates to remember the lessons they learned from one of their classmates and apply them beyond the walls of the school—to seize those moments ahead in which they can continue to widen the banks of the mainstream, raise the standards of inclusion and accessibility, and improve the quality of life for people with disabilities.

Mr. Speaker, in closing, it gives me great pleasure to extend my warmest congratulations to Bill Sonntag, the 2002 class of Langley High School, the students, teachers and countless others who have helped to re-define his potential throughout the arc of his special education and their continuing opportunity to make a difference and strengthen the general welfare of our Nation, as they embark on life's great journey. I call upon all of my colleagues to join me in applauding this remarkable achievement.

IN HONOR OF MARTIN FLEMING

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. BONIOR. Mr. Speaker, as the family and friends of Martin Fleming gather together at memorial services on June 20, 2002, they will honor the life of an Irish American who touched the lives of so many. Martin passed away on June 16, 2002, and is survived by his wife, Ruby Fleming, and his daughter, Ann Kathleen.

Martin Fleming was a prominent leader for Irish Americans in the Detroit area for the past sixty years. He was born July 28, 1912 in Galway City, Ireland. At the age of sixteen, Martin emigrated to Michigan and settled in Dearborn, where he began his lifelong service to the Irish American community.

Martin quickly found an organization to call home, when he joined the Gaelic League of Detroit. He served as President of the Gaelic League for thirteen terms, from 1938 to 1967. During this tenure, he helped build and strengthen the Irish American community in Michigan. Through his hard work and dedication, he managed to bring prominent Irish leaders and officials to Detroit, including Eamon DeValera, who later became the President of Ireland.

Martin's service to the Irish American community continued, as he founded the United Irish Societies (U.I.S.) in 1959, served as president of the U.I.S. for eight terms, and returned the Saint Patrick's parade to Detroit. He was also a supporter and friend to myself and other elected officials and leaders of the Democratic party. His work and guidance on issues important to the Irish American community served as an inspiration to us all.

Those who worked closely with Martin considered him the ''godfather'' of the Detroit Irish community. He was always there to help, serve, and better the Irish American community for generations to come. When asked what he would say to young Irish Americans today, he responded: ''I would tell them they should study Irish history and find out where their ancestors came from—and they should become involved and do what they can to help the Irish cause along.''

His mark on the City of Detroit and Irish Americans will always be remembered. He will truly be missed. I invite my colleagues to please join me in paying tribute to one of the most influential Irish Americans of Michigan, Martin Fleming, and saluting him for his exemplary years of care and service.

TRIBUTE TO LIONEL JAY SILVERFIELD

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to a great American citizen, and I am proud to recognize Lionel Jay Silverfield in the United States Congress for his invaluable service to Arkansas and our nation.

Lionel Silverfield was born July 6, 1932 in Memphis, Tennessee, but considers himself a lifelong resident of Osceola, Arkansas. He studied at the University of Alabama and nobly served his country in the United States Army, where he rose to the rank of 1st Lieutenant. On July 28, 1958, Lionel married Lenora Pevsner of Oklahoma City. The couple has a son, Martin Silverfield, two daughters, Debbie Scheinberg and Elise May and a grandson, Matthew May.

Lionel enjoyed a successful career as a business leader in Osceola. He was the owner and president of Silverfield's Department Store which closed in March 1995 after 75 years in downtown Osceola. He also served on the local Chamber of Commerce for 36 years, including two stints as Vice President. The city of Osceola proclaimed March 15, 1995 Lionel Silverfield Day in Osceola for his leadership in the local business community.

In addition, Lionel has been a committed public servant and a leader in a variety of community groups. He served on the Osceola Planning Commission for 40 years and is a founding board member of the Riverlawn Country Club. He maintains a 43-year perfect attendance record in Kiwanis International and was recognized for his leadership with the George F. Hixson Award by Kiwanis International in 1999.

The state of Arkansas is a better place because of Lionel Silverfield, and I am proud to call him my friend. On behalf of the Congress, I extend congratulations and best wishes to this great Arkansan on the occasion of his 70th birthday.

IN RECOGNITION OF THE HONORABLE PIERRE S. DU PONT IV

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. CASTLE. Mr. Speaker, it is my privilege to rise today and pay tribute to a man to whom Delaware owes much gratitude—the Honorable Pierre S. du Pont IV, known to all of us as Pete.

Throughout his years in public office, Pete du Pont has become known as one of the most clear and concise political thinkers, not only in Delaware but across the entire Nation. His commentaries and opinions have been highly regarded as the industry's best. But it is his commitment to the State of Delaware that has prompted my remarks in front of this body today.

First elected into public office in 1968 as a member of the Delaware General Assembly, Pete du Pont was recognized for his abilities and elected two years later to represent Delaware as its lone member of the United States House of Representatives. Serving for six years from 1970 to 1976, Pete du Pont was picked by Time Magazine as one of ''200 Faces for the Future''.

After his terms in the U.S. House of Representatives, Pete returned to serve as Governor of Delaware. Facing a near bankrupt government, then Governor Pete du Pont was able to pass legislation that lowered taxes, balanced the State's budget, and boosted educational programs across the State. Welcoming large banks inside our borders, his tax laws helped to reestablish Delaware's financial strength, and helped the State's economy prosper. Re-elected in 1980, Pete's eight years as Governor ended as his Presidential campaign began.

Running for the Republican nomination during the 1988 Presidential Campaign, Gov. du Pont confronted America with a no-nonsense attitude on education and retirement; his views heralded as both honest and principled.

As an advisor to governments here and abroad, Pete du Pont has proven himself as one of America's prolific politicians. Recognized as a first-class commentator, and respected as a National policy columnist, he still serves as a Director of Wilmington's prestigious Richards Layton & Finger law firm, editor of IntellectualCapital.com, and as a guest on many radio and television programs.

A stalwart hero to those who desire clarity in their politics, Pete du Pont's dedication to government and education throughout the years is extraordinary, and I salute him for his years of service to both Delaware and the Nation.

PAYING TRIBUTE TO TED HAYDEN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. McINNIS. Mr. Speaker, it is with a profound sense of gratitude that I pay tribute to Ted Hayden as he concludes his service to the people of Delta County after thirteen years as a County Commissioner. Ted's devotion to his neighbors and love for the town of Paonia, Colorado, where he has lived for the last thirty years, has served as a shining example of the selfless nature that is indicative of a true public servant.

During his time as County Commissioner, Ted has concentrated his efforts on serving the people of his region by protecting their interests in public lands and community property. Ted has dealt with many diverse issues during his career in public service, from budgets to airports and landfills. He has approached each with an insight and integrity that is worthy of the recognition that we bestow here today.

Mr. Speaker, it is my honor to bring to the attention of this body of Congress a man whose love for his community, and whose willingness to sacrifice in its service, is an inspiration to those who have lived in Delta County. As a public servant, Ted Hayden's time as County Commissioner has been an inspirational example to those of us who serve our nation in elective office. It is with gratitude for his time of service to Delta County, Colorado that I recognize Ted's ongoing devotion to the people and community that he loves.

TRIBUTE TO CHARLES HOUSEWORTH

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. SKELTON. Mr. Speaker, it has come to my attention that a long and exceptionally distinguished career has come to an end. Mr. Charles Houseworth, of Lexington, MO, has retired as Director of the Lex La-Ray Technical Center.

Mr. Houseworth began teaching and counseling in Brookfield and Lexington, MO in 1968, after receiving a Bachelor's degree from Central Missouri State University. After receiving a Master's degree from CMSU in Guidance/Counseling, he became the guidance counselor of the then brand new vocational school in Lexington in 1975. In the summer of 1982 until the present, he has served the Director of the Lex La-Ray Technical Center.

Mr. Houseworth has not only taught and guided the young people of Lexington but has also been involved with many local civic and community activities. He served the people of Lexington as the 4th Ward Councilman for six years. Charles has also been serving on the Wentworth Community Council for the past six years as well as working closely with local, state, and national legislators.

Mr. Speaker, Charles Houseworth has dedicated 34 years to the Brookfield and Lexington communities, serving with honor and distinction. I know that the Members of the House will join me in wishing him all the best in the days ahead.

HOME OWNER—AMERICAN DREAM

HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mrs. JONES of Ohio. Mr. Speaker, home ownership is a vital component of the American Dream. Unfortunately, too many families are frozen out of this dream by obstacles such as lack of opportunity, limited knowledge and soaring real estate prices. One of my primary goals as a Member of Congress is to raise the roof on home ownership for minorities, immigrants and low- and moderate-income families in the 11th Congressional District and throughout the country by removing these obstacles to achieving home ownership.

The Ohio Statewide Housing Summit was an important step in moving toward this goal. As Honorary Host of the Summit, it was my pleasure to welcome the Congressional Black Caucus Foundation and my colleagues Rep. CORRINE BROWN, Rep. EVA CLAYTON, Rep. JAMES CLYBURN, Rep. BARNEY FRANK, Rep. CAROLYN KILPATRICK, and Rep. BARBARA LEE to Cleveland to share and gather information about housing issues that affect all of our constituents.

I was proud of and gratified by the exemplary partnership and hard work of so many people and organizations in my District and throughout the state and country who joined together to make this Summit a success:

Sponsors and Contributors: Freddie Mac, Fannie Mae, Fannie Mae Foundation, Key Bank, Federal Home Loan Bank, National City Bank, Finch Group, Household Financial Services, Local Initiative Support Corporation, United Guarantee Mortgage Insurance.

Planning Committee: Candice Amos, Mark C. Batson, Cynthia D. Blake, Sheila Carpenter, Bill Daley, Lytle T. Davis, Kate Monter Durban, Kebra Emanuel, Lori Jones Gibbs, Louise J. Gissendaner, Virgil Griffin, Debra Hamelin, Michelle Harris, Vada Hill, Charlene Hollowell, Myldred Boston Howell, Stephanie Joyce Jones, India Pierce Lee, Ken Lumpkin, Mary Maglicic, Mark McDermott, Sharron Murphy, Marcia Nolan, Vikki Peterson, Betty K. Pinkney, Van Randolph, Dannette Render, Gregory L. Snyder, Henry R. Stoudermire, Jr., Michael Taylor, Gerald Thrist, Stephanie Turner, Scott Willis.

Special Assistance: BET.com, Classic Press, Cleveland State University Convocation Center, Consumer Credit Counseling Services, DAR Public Relations, Inc., Sheila Jackson Graphics.

Thanks to their hard work, the Ohio Statewide Housing Summit was a resounding success that will continue to benefit my constituents for years to come.

IN CELEBRATION OF JUNETEENTH

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. CUMMINGS. Mr. Speaker, I rise today in celebration of Juneteenth Day.

Each year, June 19th commemorates the end of slavery in this nation. It is a day of thanksgiving in the African-American community—a day in which we rejoice in the freedoms we enjoy and look ahead to a time when we can be completely free from the legacy of slavery.

On June 19th, 1865, Union soldiers led by Major General Gordon Granger landed at Galveston, Texas with news that the war had ended and that all slaves were now free. This news, nearly two years after President Lincoln's Emancipation Proclamation, brought freedom to thousands of slaves in what was then the western parts on the United States. Juneteenth Day is the oldest known celebration of the end of American slavery.

In decline for much of the 20th century, the celebration of Juneteenth was rejuvenated during '50's and '60's with the rising call of civil rights. Today, cities and towns across the country are celebrating Juneteenth. It serves as a reminder of where the African-American community was, where it is today, and where it can go.

Mr. Speaker, I believe that we must know our history before we can move forward. Today, as the descendants of slaves and sharecroppers myself, I stand here on the floor of the House of Representatives—proud to celebrate Juneteenth Day.

PAYING TRIBUTE TO RICHARD AND BARBARA DORRELL

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. McINNIS. Mr. Speaker, it is my honor to pay tribute today to the union of Richard and Barbara Dorrell as they celebrate their fiftieth wedding anniversary. True Coloradans, the Dorrells have spent the last half-century together in loving devotion to each other. Their affection for one another is evident to their friends and family alike. Their involvement in the Rifle, Colorado community is a source of pride in each of their lives.

A Rifle native, ''Dick,'' as he is known to friends, is one of the last true Colorado cowboys: he was involved with the rodeo circuit back in the 1960s as both a bareback bronco rider as well as one of the rodeo's clowns. Dick's stories of his exploits on the rodeo circuit continue to entertain friends and family alike as he weaves spellbinding tales of his heroics in the ring nearly thirty years ago. After leaving the rodeo, Dick moved on to a career driving a school bus for the RE-2 school district-a job he enjoyed for over twenty years. A past chief of the Rifle Volunteer Fire Department, Dick dedicated 25 years of his life to protecting our state from fire danger; he has also spent the last 45 years as an active member of the Rifle Elks Lodge.

Dick's lovely wife Barbara originally hails from Glendale, California, though she has lived in Rifle since 1947. Barbara devoted her time to her children during their youth, though rejoined the workforce to teach private piano lessons for over twenty years. She began her professional career with the Associated Governments of Northwest Colorado in the 1970s and retired several years ago after 25 years of admirable service. Barbara has been an active

member of the Emmanuel Lutheran Church in Rifle, playing the organ there most Sundays since the age of thirteen!

Mr. Speaker, Richard and Barbara Dorrell were married in the Methodist Church in Rifle, Colorado 50 years ago this week and it is with a happy heart that I take a moment to recognize their commitment to each other before this distinguished body. I join their two children, Connie and Wayne, as well as the entire Rifle community, in congratulating them on this benchmark in their lives together. For this unwavering dedication to each other, as well as their infectious love for Rifle, I am proud to congratulate the Dorrells on this momentous day.

HONORING DR. DEIRDRE J. LOUGHLIN

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. McGOVERN. Mr. Speaker, I rise today to join the Worcester community in honoring Dr. Deirdre J. Loughlin for her 42 years of unwavering service to the Worcester Public Schools.

Born in Scotland, Dr. Loughlin attended schools in both Europe and the United States. Dr. Loughlin earned her undergraduate and doctoral degrees from the University of Massachusetts-Amherst and her master's degree from Worcester Polytechnic Institute.

During her 42 years at the Worcester Public Schools, Dr. Loughlin has taught high school science, coordinated a variety of special programs for students, and most recently served as the District Manager of Staff for Program and Curriculum Development. Dr. Loughlin's dedication and passion in that position led to many accomplishments, one of which includes the complete revision of the District's curricula that is now in alignment with the Massachusetts Curriculum Frameworks.

Not only has Dr. Loughlin served the Worcester community through her work in the Worcester Public Schools, but in other leadership positions as well. Dr. Loughlin currently serves on a variety of boards and committees, including the Massachusetts Audubon Society's Broad Meadow Brook and the Worcester Women's History Project. Dr. Loughlin approaches all her work with the same enthusiasm that she has brought to the Worcester Public Schools.

In addition to her dedicated service to the Worcester community, Dr. Loughlin has a wonderful family. With her husband, Dr. Raymond K. Loughlin, Dr. Loughlin has a son, two daughters, four grandsons, and a new granddaughter.

Mr. Speaker, I am certain the entire U.S. House of Representatives joins me in congratulating Dr. Loughlin on her accomplishments and wishing her the best of luck in retirement.

CODE TALKERS RECOGNITION ACT

SPEECH OF

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2002

Mr. OXLEY. Mr. Speaker, I rise in strong support of H.R. 3250, the ''Code Talkers Recognition Act.''

Congress rarely has the opportunity to celebrate selfless heroism, Mr. Speaker, and so I particularly thank the sponsor of this legislation, Mr. THUNE, for introducing it and Mrs. GRANGER and Mr. WATKINS, for their efforts on similar bills that now have been incorporated here.

Mr. Speaker, as we are now engaged in a war on terrorism that involves precision munitions and long-range air strikes, it is easy to forget how different the wars of the 20th century were. Then, huge armies often stood toe-to-toe, and the decisive edge in a battle often turned more on knowing what the enemy was going to do than on anything else. Once we broke the German codes, the tide of the war in Europe turned. Once we knew the Japanese codes, Allies were able to take apart their sea power and end any ability to project force.

But Mr. Speaker the Germans and the Japanese had code-breakers, too. What they didn't have were the Native American code talkers, who used their tribal languages to communicate military orders and intelligence information between forward-deployed units and their commanders further to the rear. Those tribal languages never were understood by our enemies, Mr. Speaker, and the resulting ability to communicate freely, accurately and safely saved countless Allied lives.

Congress has honored the Navajo Code Talkers with medals. This bill addresses the long-overdue recognition of the other brave warriors from other tribes who performed similar services. The bill would grant the Congressional Gold Medal, posthumously in most cases, to those brave warriors from the Sioux, Choctaw, Comanche and the other tribes.

Mr. Speaker, the Sioux Code Talkers—using Lakota, Dakota and Nakota Sioux languages—were deployed in both the European and Pacific theaters and served in some of the heaviest combat actions to provide their communications services. They are credited by military commanders as being instrumental in saving the lives of many Allied soldiers.

Comanche serving in the 4th Signal Company helped to develop a code using their language to communicate military messages during the D-Day invasion and in the European theater during World War II. To the enemy's frustration, the code developed by the Comanche Code Talkers proved to be unbreakable. The Germans even sent spies to training grounds in Fort Gordon and to reservations in Oklahoma to try and crack the code

Mr. Speaker, the Choctaw Code Talkers of World War I were the first code talkers used in recent times. While most Native Americans at the time were not considered citizens of the United States, many volunteered to fight, and many were incorporated into a company of Indian Enlistees serving the 142nd Infantry Company of the 36th division. While serving, their use of the native language was discouraged. However, a commander—aware that most Allied codes had been broken by the Germans—realized that a number of men under his command spoke complex and possibly undecipherable language, and he put them to work sending codes. A total of 18 Choctaws served our country as Code Talkers. The Choctaw tribe and the State of Oklahoma have honored these code talkers and today I believe we should do likewise.

Mr. Speaker, as the Navajo Code Talkers already have been recognized with Congressional medals and this legislation specifically names Sioux, Choctaw and Comanche code talkers, this bill also asks the Secretary of Defense to identify any non-Navajo code talkers from tribes other than the Sioux, Choctaw and Comanche who served overseas as code talkers in the wars of the last century, and recognize them with medals as well.

I urge my colleagues to support this legislation to honor all Native American code talkers who have fought for our country.

HONORING THE TOWN OF HUNTINGTON

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. ACKERMAN. Mr. Speaker, I rise today to praise the commitment and dedication of the people of the Town of Huntington, New York. On June 15th, 2002, at the 53rd National Civic League Convention in Kansas City, Missouri. Huntington was selected out of 30 finalists to be proclaimed an All-American City, and thus became the first Long Island community to receive this impressive designation.

The All-American City Award is one of the nation's oldest and most prestigious distinctions, given to those communities, which demonstrate outstanding leadership and collaboration in addressing community-wide challenges and achieving exceptional results.

This spring, the Town of Huntington's Chamber of Commerce, a business partnership that represents more than 1,300 members, was officially notified by the National Civic League that Huntington had been selected as a finalist for the 2002 All-American City Award. For the next month and a half, the Chamber of Commerce prepared extensively for a final 10-minute formal presentation to be given before the All-American City Jury Panel. It was the success of this final presentation, which highlighted three community-based projects, that clinched the award for Huntington.

Mr. Speaker, this distinction is a glowing reflection on all members of the Huntington community. Specifically, I would like to call attention to the tireless work of Dennis Sneden, the CEO of the Huntington Township Chamber of Commerce; Frank Petrone, the Town Supervisor; Board members Marlene Budd, Mark Cuthbertson, Susan Berland, and Mark Capadonno and all the individuals and businesses, citizens and entrepreneurs, of the Huntington community.

Commenting on Huntington's success, Town Supervisor Petrone summed up the reason for

Huntington's smashing success. ''This designation speaks to the commitment of a community which works together for the betterment of all its residents,'' he said. ''The partnership between Huntington Township Chamber of Commerce and the Town of Huntington's government sets an example for the region.''

I ask all my colleagues in the House of Representatives to join me now in honoring this historic achievement, and in congratulating all the members of the Huntington community for the inspirational example they have provided for cities, towns and villages throughout New York State and our entire nation.

HONORING THE BOY SCOUTS OF AMERICA IN THEIR HEEDING THE PRESIDENT'S CALL FOR AFGHAN YOUTH RELIEF

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. LAMPSON. Mr. Speaker, I am here today to honor the Boy Scouts of America who answered the call of the President to raise funds for the Afghan Youth Relief Fund in light of events following September 11th. This extraordinary opportunity allowed Boy Scouts throughout the nation to aid in a national cause.

In my district, the 470 Scouts of Three Rivers responded to the President at our Veterans' Day celebration of 2001. It was at this celebration that they were able to raise over 1,000 dollars! Today Brandon Johnson from Council 578 of Beaumont, Texas is representing Three Rivers at both the White House and the Red Cross.

The Boy Scouts of America's response shows that young people are answering the challenges proposed to them by their leaders during this time of great need. It is great to see that they are taking the initiative to lead at this critical time in American history.

TRIBUTE TO THE LATE GENE SULLIVAN

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. LIPINSKI. Mr. Speaker, Gene Sullivan, a gifted basketball coach and thoughtful social steward passed away February 21st in Chicago at the age of 70. He will certainly be known for his coaching accomplishments. As the coach of Loyola University Chicago's basketball team during the 1980's, he led the Ramblers back to the NCAA tournament after a 20-year absence in 1984–1985. The Ramblers won twice before losing to the national champion Georgetown Hoyas in the Sweet 16 that year. Coach Sullivan was rightly named the Midwestern Collegiate Conference Coach of the Year in 1983 and 1985, and retired with a 149–114 record.

Fortunately, Gene Sullivan extended his reach beyond his tremendous college basketball career. He cared about people and communities. Gene motivated thousands of student athletes by urging them to make responsible life decisions. More than 5,000 coaches and 55,000 athletes have taken his ''Stay'' pledge to remain committed to school and keep a positive outlook.

After his retirement from coaching, Gene served as Deputy Chief of the Chicago Park District. He used his tremendous abilities and celebrity to greatly boost youth sports. During his tenure with the park district, Deputy Chief Sullivan repaired 140 city basketball courts and attracted thousands of Chicago youngsters to summer baseball leagues.

Thankfully, Coach Sullivan's legacy will be remembered for many years to come. Tomorrow, the first annual Sullivan Awards Night for Coaches will take place at Hawthorne Race Course in my Congressional District. At the ceremony, seven Chicagoland coaches will be honored for their great work. Among them, Robert W. Foster of Leo High School will be honored with the Sullivan Award For Lifetime Achievement. Patricia Nolan Ryan, principal of Queen of Peace High School in Burbank, will be honored for her tremendous dedication.

Mr. Speaker, I knew Gene Sullivan, and he was truly a great human being and a very good basketball coach. I salute all the participants and would like to submit Chicago Sun-Times columnist Steve Neal's story on this event for the CONGRESSIONAL RECORD.

[From the Chicago Sun-Times, June 19, 2002]

AWARDS HONOR COACH'S LEGACY

(By Steve Neal)

Gene Sullivan, who died much too soon, should be long remembered as a great basketball coach and very good man.

On Thursday night, legions of his friends are gathering to celebrate his legacy. Bears Coach Dick Jauron and State's Attorney Richard Devine, who played high school basketball for Sullivan, are among those scheduled to speak.

The first annual Sullivan Awards Night for Coaches will start at 6 p.m. in the Turf Room at Hawthorne Race Course.

Sullivan, who devoted his life to basketball, never lost his love of the game or his determination to help others. For the last four years, he enlisted coaches throughout the Chicago area in his crusade against drugs, gang activity, gun possession and hateful remarks. The Stay program, which Sullivan kept alive, urged students and athletes to stay in school, stay involved, stay out of gangs and stay positive.

''We coaches tend to get too wrapped up in our own little world of wins and losses while the outside world is failing apart,'' Sullivan told Sun-Times columnist Raymond Coffey in 1998. ''It's time for coaches to stand up and be counted on these issues of keeping kids out of trouble.''

Under Sullivan's direction and the sponsorship of the state's attorney's office, this program has been a huge success. More than 5,000 coaches and 55,000 athletes representing 185 high schools in Cook County have taken the Stay pledge and have participated in camps, clinics and tournaments.

By launching the Sullivan awards as a new tradition, the Stay program seeks to extend Sullivan's legacy.

The coach had an extraordinary run. He played basketball for Notre Dame and later served as first assistant coach for the Irish. As a prep coach, he won championships for Loyola Academy.

In the 1980s, he coached Loyola University's basketball team and brought the Ramblers back to national prominence. In 1985, his team won two NCAA tournament victories and made it to the Sweet 16 before losing to No. 1 Georgetown.

The hardworking and dedicated Sullivan also did a stint as DePaul University's athletic director.

In the early 1990s, he served as deputy chief of the Chicago Park District. He developed citywide summer baseball programs that attracted thousands of youngsters. Sullivan also took the lead in rehabbing 140 basketball courts in city parks. He brought college football back to Soldier Field for the first time since the 1940s. Taking advantage of his contacts, Sullivan booked Notre Dame, Northwestern and Illinois for Soldier Field.

On Thursday night, Leo High School's president and veteran football coach Robert W. Foster will be honored with the Sullivan award for lifetime achievement. Foster, who is already in the Chicago Catholic League and Illinois Coaches Hall of Fame, shares Sullivan's determination to help others.

Patricia Nolan Ryan, principal of Queen of Peace High School in Burbank, is being honored with the Father John Smyth Award for dedication.

George Pruitt, athletic director at Robeson High School, is getting the Bill ''Moose'' Skowron Award for fortitude.

Dorothy Gaters of Marshall High School, the most successful girl's basketball coach in local history, is receiving the Willye White award for commitment. White is a former five-time Olympian.

Frank Lenti, whose Mount Carmel football teams have won four state titles in the last six years, is getting the Johnny Lattner Award for excellence.

Bob Naughton of New Trier High School and Tom Powers of Evanston High are receiving the George Connor loyalty award. Connor is a member of the Pro Football Hall of Fame.

St. Joseph High School basketball coach Gene Pingatore is being honored with the Johnny ''Red'' Kerr award for determination.

A TRIBUTE TO JERRY SACHARSKI OF ALBION, MI—THE INVENTOR OF TEE-BALL

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. SMITH of Michigan. Mr. Speaker, it is with great pleasure that I rise before you today to recognize one of my constituents, Jerry Sacharski, the inventor of Tee-ball. It is not everyday that a Congressman is given the opportunity to pay tribute to a man who has done so much to expand the appeal of America's Pastime of baseball to so many children. In 1956, Jerry Sacharski became aware of the difficulty children were having when attempting to use hand-eye coordination that was necessary for bringing the bat in contact with the ball when it was pitched. Because of this lack of coordination in younger children, for years baseball opportunities for children had consisted only of little league teams for children 11 and 12 years of age, and baseball leagues for children over 14. This was not acceptable to Jerry. Instead of simply perpetuating the lack of opportunities for younger children, Jerry acted and came up with a system that we all take for granted today. By using metal piping, pieces of rubber, and part of a garden hose he ingeniously created the first batting tee, thereby securing up to four extra years of fun and experience with baseball's fundamentals for interested children. After all, it can only be an advantage for children to be able to

practice catching, fielding, and throwing in a game environment four or five years before they otherwise would.

Helping children reach their potential is nothing new for Jerry. For many years he was a teacher at Albion Public High School. After he started teaching, Jerry took it upon himself in 1954 to head up the Albion recreation department's summer baseball program. Because of this position, he was able to see the lack of opportunity for younger children that two years later would drive him to develop one of the largest innovations in youth sports.

Because of Jerry Sacharski, millions of children across the United States of America, have participated in Tee-ball leagues for over forty years. It is innovators like Jerry, who make life more enjoyable for millions of children, who are so important to the social fabric of our nation. Michigan is very proud of Jerry Sacharski and children around the world appreciate his contribution.

TRIBUTE TO THE PUBLIC SERVICE OF DAVID H. KOSHGARIAN

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. CARDIN. Mr. Speaker, I rise today to honor David H. Koshgarian who has served as my Chief of Staff since my first election to Congress. Over the past fifteen and one half years David has been an outstanding leader for my office and a partner with me in carrying out all my Congressional duties. I, and the people of Maryland's Third Congressional District, have been well served by his commitment, knowledge and skill. It is with all sincerity that I thank him for his service to the nation.

For more than 25 years, David Koshgarian has served on Capitol Hill working for several Members of the House of Representatives, including Richard Kelly of Florida, Geraldine Ferraro of New York, and Chet Atkins of Massachusetts. Having grown up in Rhode Island and attended George Washington University here in Washington, Dave and his family have long made their home in Maryland and I appreciate that his longest service has been to a Maryland Representative.

The United States House of Representatives is the world's greatest democratic institution. As much as any staffer I have ever worked with on Capitol Hill, Dave has taken joy in the democratic process of governing this nation. His interest and enthusiasm has always enlightened my work, as well as that of our staff and interns. Dave's presence and spirit has always made my office a better place to work.

Dave came to my office after serving as Legislative Director for Rep. Chet Atkins and he never lost his primary interest in legislation and policy. Throughout my service on the Ways and Means Committee, Dave has handled tax and budget issues. Dave's deep intellect and long experience have been well tested in this position on a great variety of complex issues. He has mastered each challenge and often been most successful in effecting change in the Committee's consideration of key issues.

I am also proud that after many years of Ways and Means tax policy work in ''Gucci Gulch'', where the concerns of wealthy and corporate interests are most often heard, David has unfailingly focused on the lives and struggles of the neediest among us and worked to ensure that the policies of the nation provide real opportunity to low-income and working class Americans. His efforts have been in the best traditions of the Democratic Party. The dramatic expansion of the Earned Income Tax Credit is one recent example of our successful work in this area.

Dave has made a specialty of pension issues—an area where few people have long focused, but where much good can be done. At this point I am confident he knows as much as any staffer on Capitol Hill in this complicated facet of tax law. Pension policy is an area where sound federal policy can directly benefit the lives of every working American. Dave's effective work in this area is the clearest demonstration of his commitment to the people who most need our help.

Passage of the individual retirement and pension enhancement provisions of HR 1836, the 2001 Economic Growth and Tax Relief Reconciliation Act is testament to Dave's skills and commitment. I doubt those provisions would have been enacted without David's ongoing, focused work on this issue. Dave should leave Capitol Hill proud of his many legislative accomplishments over the years.

David has also proven himself a solid administrator and inspiring leader and educator of staff. With many offices facing great turnover and little historical knowledge of a Member's work for a District, my office has always been very different, with relatively long and accomplished tenures by staff people. To large extent this is a result of Dave's daily caring and concern for staff. His joy in our responsibilities and spirit in the office will be greatly missed.

The hard work of the many loyal staff to the House of Representatives is too little rewarded and too rarely acknowledged. David, on behalf of the people of the nation, Maryland, the Third Congressional District, the many staff people and interns you have worked with and most of all myself, I want to thank you for your proud career of public service.

Best wishes for all your future endeavors.

IN HONOR OF MR. GLENN GRAHAM

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. GEKAS. Mr. Speaker, I rise to honor Mr. Glenn Graham of Middletown, Pennsylvania. Recently, Glenn was named ''Father of the Year'' by Keystone Children and Family Services for acting as a tireless father to three of his step-great-grandchildren. Glenn is 73 years old.

Glenn was nominated for the award by Stephan Wolf, a U.S. Customs inspector, who learned of Glenn's remarkable story through weekly visits that Glenn makes while delivering documents. In addition to raising these three children, aged 4, 12, and 15, Glenn holds two jobs and is the Commander of the Middletown Memorial Veterans of Foreign Wars Post 1620.

Raised in Massachusetts, Glenn served in the Army as a paratrooper shortly after World War II and re-enlisted when the Korean War began. After serving in the Army, Graham drove tractor-trailers for a living. While making deliveries in New Jersey, Glenn was shot in the arm by two teenagers who were ''having fun'' by firing a rifle at his truck.

Glenn admits that he could not be such a dedicated father without the help of his wife, Mildred. He also acknowledges that he owes his exceptional parenting skills to the example set by his loving father, who raised seven children himself.

I ask my colleagues in the House to join me in congratulating Glenn Graham. This remarkable man is an inspiration to fathers across the Nation for his selfless dedication to his family and deserves our genuine congratulations.

PERSONAL EXPLANATION

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this chamber on June 6, 2002 and I would like the record to show that had I been present in this chamber, I would have voted ''yea'' on roll call vote 209, ''no'' on roll call vote 213. I was also unavoidably absent from this chamber on June 11, 2002 and I would like the record to show that had I been present in this chamber, I would have voted ''yea'' on roll call vote 220, ''yea'' on roll call vote 221 and ''yea'' on roll call vote 222.

Mr. Speaker, I was also unavoidably absent from this chamber on Monday. I would like the record to show that had I been present in this chamber on that date, I would have voted ''yea'' on roll call votes 230, 231 and 232.

A TRIBUTE TO UNITED STATES AIR FORCE COLONEL JAMES S. DAVIS ON THE OCCASION OF HIS RETIREMENT

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. STUPAK. Mr. Speaker, I rise tonight to call your attention to the fact that on Sept. 28, 2002, the retirement of a highly distinguished officer in the United States Air Force—and a lifelong friend of mine—will become effective. The actual last day of service for Col. James S. Davis, Director of Operations for Alaskan Command at Elmendorf Air Force Base, Alaska, is June 28, which is why I wish to speak tonight about Jim and his career of service to this Nation.

It certainly dates us, Mr. Speaker, when we recall with fondness those students in our class whose skill and commitment to high school studies, particularly math and science, was marked by a plastic pocket protector in the shirt and a slide rule on a belt clip. Jim Davis was one such student, but Jim was also uniquely friendly and extroverted, and his own academic aptitude never set him apart and away from his classmates. All Jim's classmates shared the same thought: Jim Davis will

go very far. What we didn't know, Mr. Speaker, is that he would go very high and very fast, as well.

Jim was commissioned an Air Force officer in 1975, when he graduated from the University of Michigan with an engineering degree. After completing pilot training at Vance Air Force Base in Oklahoma, he was assigned as a T–37 instructor pilot with the German Air Force pilot training program at Sheppard Air Force Base, Texas. In 1980, he was selected to fly the F–16 fighter at MacDill Air Force Base, Florida, and then was posted to a series of duty stations with jobs of ever-increasing responsibility: Nellis Air Force Base, Nevada; Kunsan Air Base, Republic of South Korea; Luke Air Force Base, Arizona; Shaw Air Force Base, South Carolina; and Osan Air Base, Republic of South Korea.

Jim has logged more than 3,400 flight hours—more than 2,200 of them in the F–16—and he flew 29 combat missions during Operation Desert Storm. That campaign earned Jim both the Distinguished Flying Cross and the Air Medal. Jim has also been awarded an oak leaf cluster for the Air Medal, the Legion of Merit, the Defense Meritorious Service Medal with one oak leaf cluster, the Meritorious Service Medal with five oak leaf clusters, the Aerial Achievement Medal, the Joint Service Commendation Medal, the Air Force Commendation Medal, and the combat Readiness Medal with three oak leaf clusters.

From June 1996 to August 1998, Jim worked in our own backyard, Mr. Speaker, serving at the Pentagon on the staff of the Joint Chiefs of Staff, before returning to Nellis Air Force Base, where he served as commander of the 414th Combat Training Squadron and then commander of the 57th Operations Group.

It's been a long and distinguished career for the brilliant young math and science wizard from Gladstone High School, Although our paths have never crossed as much as I would have liked, I still frequently see his folks, Edward and Millie, and, in fact, the Davis home on the comer of Montana and 12th in Gladstone is one of the milestones on my annual 4th of July parade walk through the community. I've known all the Davis family, including his brother Tom, who lives with his wife Cindi just north of Gladstone in Brampton Township; brother Mike, who lives with his wife Teri in Colorado; and Jim's sister Jean, who lives with her parents.

Our floor schedule won't allow me to join Jim at his retirement bash in Alaska, so I'd like to take this opportunity to wish Jim and his wife Camella all the best in Jim's retirement years, and I ask you and our House colleagues to join with me in offering this distinguished career officer a hearty, ''Thanks . . . and well done!''

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 20, 2002 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

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

9:30 a.m.
Environment and Public Works
To hold oversight hearings to examine the Environmental Protection Agency Inspector General's actions with respect to the Ombudsman and S. 606, to provide additional authority to the Office of Ombudsman of the Environmental Protection Agency.
SD–406

Commerce, Science, and Transportation
To hold hearings on proposed legislation authorizing funds for the National Transportation Safety Board.
SR–253

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

Health, Education, Labor, and Pensions
To hold hearings on proposed legislation authorizing funds for the Office of Education Research and Improvement, Department of Education.
SD–430

Judiciary
Technology, Terrorism, and Government Information Subcommittee
To hold hearings to examine the President's proposal for reorganizing our homeland defense infrastructure.
SD–226

1 p.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold joint hearings with the House Committee on Science to examine science and technology to combat terrorism.
2318, Rayburn Building

2:30 p.m.
Health, Education, Labor, and Pensions
Public Health Subcommittee
To hold hearings to examine the crisis in children's dental health.
SD–430

JUNE 26

9:30 a.m.
Commerce, Science, and Transportation
Consumer Affairs, Foreign Commerce, and Tourism Subcommittee
To hold hearings to examine issues and perspectives in enforcing corporate governance, focusing on the experience of the state of New York.
SR–253

Governmental Affairs
To hold hearings to examine the relationship between a Department of Homeland Security and the intelligence community.
SD–342

10 a.m.
Health, Education, Labor, and Pensions
Business meeting to consider S. 2059, to amend the Pubic Health Service Act to provide for Alzheimer's disease research and demonstration grants; and proposed legislation concerning global Aids.
SD–430

Judiciary
To hold hearings to examine the President's proposal for reorganizing our homeland defense infrastructure.
SD–226

2 p.m.
Judiciary
Immigration Subcommittee
To hold hearings to examine immigration reform and the reorganization of homeland defense.
SD–226

3 p.m.
Governmental Affairs
To hold hearings on the nomination of James E. Boasberg, to be an Associate Judge of the Superior Court of the District of Columbia.
SD–342

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

1 p.m.
Governmental Affairs
To continue hearings to examine the relationship between a Department of Homeland Security and the intelligence community.
SD–342

2:30 p.m.
Foreign Relations
Central Asia and South Caucasus Subcommittee
To hold hearings to examine the balancing of military assistance and support for human rights in central Asia.
SD–419

JULY 10

9:30 a.m.
Veterans' Affairs
To hold hearings to examine the continuing challenges of care and compensation due to military exposures.
SR–418

Daily Digest

HIGHLIGHTS

The House passed H.R. 3389, National Sea Grant College Program Act Amendments.

The Speaker appointed members to the Select Committee on Homeland Security.

House committees ordered printed 12 sundry measures.

Senate

Chamber Action

Routine Proceedings, pages S5721–S5790

Measures Introduced: Seven bills and two resolutions were introduced, as follows: S. 2643–2649, S. Res. 288, and S. Con. Res. 122. **Page S5772**

Measures Reported:

S. 1646, to identify certain routes in the States of Texas, Oklahoma, Colorado, and New Mexico as part of the Ports-to-Plains Corridor, a high priority corridor on the National Highway System. (S. Rept. No. 107–165) **Page S5771**

Measures Passed:

North Korean Refugees: Senate agreed to S. Con. Res. 114, expressing the sense of Congress regarding North Korean refugees in China and those who are returned to North Korea where they face torture, imprisonment, and execution, after agreeing to a committee amendment in the nature of a substitute. **Pages S5788–89**

Honoring Airline Flight Attendants: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. Con. Res. 110, honoring the heroism and courage displayed by airline flight attendants on a daily basis, and the resolution was then agreed to. **Page S5789**

National Defense Authorization Act: Senate continued consideration of S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto: **Pages S5727–67**

Adopted:

Warner Amendment No. 3900 (to Amendment No. 3899), to substitute a notice-and-wait condition for the exercise of authority to use funds. **Pages S5728–45**

By 96 yeas to 3 nays (Vote No. 158), Levin Amendment No. 3899, to reallocate an amount available to the Army for indirect fire programs. **Pages S5227–45**

Levin/Warner Amendment No. 3912, to provide alternative authority on concurrent receipt of military retired pay and veterans' disability compensation for service-connected disabled veterans. **Pages S5745–54**

Pending:

Feingold Amendment No. 3915, to extend for 2 years procedures to maintain fiscal accountability and responsibility. **Pages S5762–63**

Reid (for Conrad) Amendment No. 3916 (to Amendment No. 3915), of a perfecting nature. **Pages S5763–67**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Thursday, June 20, 2002. **Page S5790**

Messages from the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, the report of the continuation of the National emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation beyond June 21, 2002; to the Committee on Banking, Housing, and Urban Affairs. (PM–93) **Pages S5770–71**

Transmitting, pursuant to law, the Periodic Report on the National Emergency with Respect to the

Risk of Nuclear Proliferation Created by the Accumulation of Weapons-Usable Fissile Material in the Territory of the Russian Federation; to the Committee on Banking, Housing, and Urban Affairs. (PM–94) **Page S5771**

Transmitting, pursuant to law, the Report on the Emergency Regarding Proliferation of Weapons of Mass Destruction; to the Committee on Banking, Housing, and Urban Affairs. (PM–95) **Page S5771**

Messages From the House: **Page S5771**

Measures Referred: **Page S5771**

Executive Reports of Committees: **Pages S5771–72**

Additional Cosponsors: **Pages S5772–74**

Statements on Introduced Bills/Resolutions: **Pages S5774–82**

Additional Statements: **Pages S5769–70**

Amendments Submitted: **Pages S5782–87**

Authority for Committees to Meet: **Pages S5787–88**

Privilege of the Floor: **Page S5788**

Record Votes: One record vote was taken today. (Total—158) **Page S5745**

Adjournment: Senate met at 10 a.m., and adjourned at 5:59 p.m., until 9:30 a.m., on Thursday, June 20, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5790).

Committee Meetings

(Committees not listed did not meet)

NATIONAL YOUTH ANTI-DRUG MEDIA CAMPAIGN

Committee on Appropriations: Subcommittee on Treasury and General Government concluded hearings to examine the effectiveness of the National Youth Anti-Drug Media Campaign, focusing on evaluations, comparisons with other social marketing campaigns, and planned modifications in response to findings, after receiving testimony from John P. Walters, Director, National Drug Control Policy; James E. Burke, Partnership for a Drug-Free America, New York, New York; Lloyd D. Johnston, University of Michigan Institute for Social Research, Ann Harbor; and Robert C. Hornik, University of Pennsylvania Annenberg School for Communication, Philadelphia.

UNIVERSAL SERVICE FUND

Committee on Commerce, Science, and Transportation: Subcommittee on Communications concluded hearing to examine future sufficiency and stability of the Universal Service Fund, which ensures that consumers living in rural, insular and high cost areas have access to telecommunications services, after receiving testimony from Dorothy T. Attwood, Chief, Wireline Competition Bureau, Federal Communications Commission; G. Nanette Thompson, Regulatory Commission of Alaska, Anchorage, on behalf of the Federal-State Universal Service Joint Board; Billy Jack Gregg, Public Service Commission of West Virginia, Charleston, on behalf of the National Association of State Consumer Advocates; Lila A. Jaber, Florida Public Service Commission, Tallahassee; Don Bond, Public Service Telephone Company, Reynolds, Georgia, on behalf of the National Rural Telecom Association; Margaret H. Greene, BellSouth Corporation, Atlanta, Georgia; Victoria D. Harker, MCI Group, Arlington, Virginia; and Michael F. Altschul, Cellular Telecommunications and Internet Association, Washington, D.C.

NASA EDUCATION PROGRAM

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space concluded hearings to examine certain provisions of proposed legislation authorizing funds for fiscal year 2003 for the National Aeronautics and Space Administration, focusing on the Education Program, Minority University Research and Education Program, and human capital proposals, after receiving testimony from Sean O'Keefe, Administrator, National Aeronautics and Space Administration, who was accompanied by several of his associates.

RECREATION FEES

Committee on Energy and Natural Resources: Committee concluded 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, after receiving testimony from P. Lynn Scarlett, Assistant Secretary of the Interior for Policy, Management, and Budget; and Mark Rey, Under Secretary of Agriculture for Natural Resources and Environment.

U.S./CUBA POLICY

Committee on Foreign Relations: Subcommittee on Western Hemisphere, Peace Corps and Narcotics Affairs concluded hearings on S. 1017/H.R. 2138, 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, focusing on provisions relating to recent medical advances in Cuba which could potentially have widespread application in the U.S. and existing travel restrictions on U.S. citizens permitted to visit Cuba, after receiving testimony from Bernard

W. Aronson, ACON Investments/Council on Foreign Relations Independent Task Force on Cuba, former Assistant Secretary of State for Inter-American Affairs, and Alan I. Leshner, American Association for the Advancement of Science, both of Washington, D.C.; Donald L. Morton, John Wayne Cancer Institute, Santa Monica, California; Kenneth R. Bridges, Brigham and Women's Hospital Joint Center for Sickle Cell and Thalassemic Disorders, Boston, Massachusetts; Mark M. Rasenick, University of Illinois College of Medicine Biomedical Neuroscience Training Program, Chicago; Nancy Chang, Center for Constitutional Rights, New York, New York; and Ramon Humberto Colas, Cuban Independent Libraries Movement, Miami, Florida.

NOMINATION

Committee on Governmental Affairs: Committee concluded hearings on the nomination of Michael D. Brown, of Colorado, to be Deputy Director of the Federal Emergency Management Agency, after the nominee, who was introduced by Senators Allard and Campbell, testified and answered questions in his own behalf.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

S. 2184, to provide for the reissuance of a rule relating to ergonomics, with an amendment in the nature of a substitute;

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, with an amendment in the nature of a substitute;

S. 1115, to amend the Public Health Service Act with respect to making progress toward the goal of eliminating tuberculosis, with an amendment in the nature of a substitute; and

The nominations of Thomas Mallon, of Connecticut, and Wilfred M. McClay, of Tennessee, each to be a Member of the National Council on the Humanities, W. Roy Grizzard, of Virginia, to be an Assistant Secretary of Labor, Patricia Pound, of Texas, Lex Frieden, of Texas, Carol Hughes Novak, of Georgia, Kathleen Martinez, of California, and Young Woo Kang, of Indiana, each to be a Member of the National Council On Disability, J. Russell George, of Virginia, to be Inspector General, Corporation for National and Community Service, and Jeffrey D. Wallin, of California, to be a Member of the National Council on the Humanities.

NATIONAL SCIENCE FOUNDATION

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings on proposed legislation authorizing funds for the National Science Foundation, focusing on math and science research, development, and education, after receiving testimony from former Senator John Glenn, John Glenn Institute for Public Service and Public Policy, Columbus, Ohio; Rita R. Colwell, Director, National Science Foundation; and Keith Verner, Pennsylvania State University College of Medicine/Center for Science and Health Education, Hershey.

WHITE COLLAR CRIME

Committee on the Judiciary: Subcommittee on Crime and Drugs held hearings on S. 2010, to provide for criminal prosecution of persons who alter or destroy evidence in certain Federal investigations or defraud investors of publicly traded securities, to disallow debts incurred in violation of securities fraud laws from being discharged in bankruptcy, to protect whistleblowers against retaliation by their employers, receiving testimony from James B. Comey, Jr., United States Attorney for the Southern District of New York; West Virginia State Auditor Glen B. Gainer III, Morgantown, on behalf of the National White Collar Crime Center; Indiana Securities Commissioner Bradley W. Skolnik, on behalf of the North American Securities and Administrators Association, Inc., and Frank O. Bowman III, Indiana University School of Law, both of Indianapolis; Paul Rosenzweig, Heritage Foundation, Washington, D.C.; Charles Prestwood, Conroe, Texas; Janice Farmer, Orlando, Florida; and Howard Deputy, Smyrna, Delaware.

Hearings recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 9 public bills, H.R. 4961–4969, were introduced. **Page H3720**

Reports Filed: Reports were filed as follows:

H. Res. 450, relating to consideration of the Senate amendment to H.R. 3009, to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes (H. Rept. 107–518). **Page H3720**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative LaTourette to act as Speaker pro tempore for today. **Page H3671**

Guest Chaplain: The prayer was offered by the right Reverend John B. Lipscomb, Bishop, Episcopal Diocese of Southwest Florida, Parrish, Florida. **Page H3671**

Journal: Agreed to the Speaker's approval of the Journal of Tuesday, June 18 by a yea-and-nay vote of 353 yeas to 42 nays with 1 voting "present," Roll No. 236. **Pages H3671, H3671–72**

Discharge Petition—Social Security Guarantee Plus Act: Pursuant to Clause 2 of rule XV, Representative Thurman moved to discharge the Committee on Rules from the consideration of H. Res. 425, providing for consideration of H.R. 3497, to amend the Social Security Act and the Internal Revenue Code of 1986 to preserve and strengthen the Social Security Program through the creation of personal Social Security guarantee accounts ensuring full benefits for all workers and their families, restoring long-term Social Security solvency, and to make certain benefit improvements.

Motion to Instruct Conferees—Help America Vote Act: Rejected the Hastings of Florida motion to instruct conferees on H.R. 3295, Help America Vote Act, that sought to (1) insist upon the provisions contained in section 504(a) of the House bill (relating to the effective date for the Federal minimum standards for State election systems); and (2) to disagree to the provisions contained in section 104(b) of the Senate amendment to the House bill (relating to a safe harbor from the enforcement of the Federal minimum standards for State election systems for States receiving Federal funds under the bill) by a yea-and-nay vote of 206 yeas to 210 nays, Roll No. 238. **Pages H3677–81, H3693**

National Sea Grant College Program Act Amendments: The House passed H.R. 3389, to reauthorize the National Sea Grant College Program Act by a yea-and-nay vote of 407 yeas to 2 nays, Roll No. 237. **Pages H3683–93**

Pursuant to the rule, the amendment in the nature of a substitute printed in H. Rept. 107–514 was considered as an original bill for the purpose of amendment in lieu of the amendments recommended by the Committees on Resource and Science now printed in the bill. **Page H3689**

Agreed To:

Jackson-Lee of Texas amendment that requires a report describing the efforts to ensure equal access for minority and disadvantaged students to the National Sea Grant College Fellowship program. **Pages H3690–92**

H. Res. 446, the rule that provided for consideration of the bill was agreed to by voice vote. **Pages H3681–83**

Select Committee on Homeland Security: The House agreed to H. Res. 449, to establish the Select Committee on Homeland Security by voice vote. Pursuant to section 2 of H. Res. 449, the Chair announced the Speaker's appointment of the following members to the Select Committee on Homeland Security: Representative Armey, Chairman, and Representatives DeLay, Watts of Oklahoma, Pryce, Portman, Pelosi, Frost, Menendez, and DeLauro. **Pages H3693–99**

Presidential Messages: Read the following messages from the President:

National Emergency re Weapons Usable Fissile Material in the Russian Federation: Message wherein he transmitted a 6-month periodic report on the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons—usable fissile material in the territory of the Russian Federation that was declared in Executive Order 13159 of June 21, 2000—referred to the Committee on International Relations and ordered printed (H. Doc. 107–228); **Page H3699**

National Emergency re Proliferation of Weapons of Mass Destruction: Message wherein he transmitted a 6-month periodic report on the national emergency with respect to the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994—referred to the Committee on International Relations and ordered printed (H. Doc. 107–229); and **Page H3700**

Continuation of National Emergency re Weapons Usable Fissile Material in the Russian Federation: Message wherein he transmitted a notice stating that the emergency declared with respect to the accumulation of a large volume of weapons—usable fissile material in the territory of the Russian Federation is to continue beyond June 21, 2002—referred to the Committee on International Relations and ordered printed (H. Doc. 107–230). **Page H3700**

Senate Messages: Message received from the Senate today appears on pages H3672–73.

Referrals: S. 2600 and S. Con. Res. 104 were held at the desk.

Recess: The House recessed at 5:24 p.m. and reconvened at 6:04 p.m. **Page H3719**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of the House today and appear on pages H3672, H3692–93, and H3693. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:05 p.m.

Committee Meetings

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session and approved for full Committee action the Defense appropriations for fiscal year 2003.

SOCIAL SECURITY; LONG-TERM BUDGET IMPLICATIONS

Committee on the Budget: Held a hearing on Social Security: The Long-Term Budget Implications. Testimony was heard from David M. Walker, Comptroller General, GAO; Dan L. Crippen, Director, CBO; and public witnesses.

MISCELLANEOUS HEALTH MEASURES

Committee on Energy and Commerce: Ordered reported the following: H.R. 4013, Rare Diseases Act of 2002; Regulatory Reduction and Contracting Reform; H.R. 4961, Medicaid, Public Health, and Other Health Provisions; and H.R. 4962, Rural Health Care Improvements.

The Committee began consideration of the Medicare Prescription Drug Benefit.

Will continue tomorrow.

VACCINE SAFETY AND AUTISM

Committee on Government Reform: Held a hearing on "The Status of Research Into Vaccine Safety and Autism." Testimony was heard from Roger Bernier, Associate Director, Science, Office of Director, Center for Disease Control and Prevention, Department of Health and Human Services; and public witnesses.

HUMAN TRAFFICKING

Committee on International Relations: Held a hearing on Foreign Government Complicity in Human Trafficking: A Review of the State Department's 2002 Trafficking in Persons Report. Testimony was heard from Paula Dobriansky, Under Secretary, Global Affairs, Department of State; and public witnesses.

BURMA—RECENT DEVELOPMENTS

Committee on International Relations: Subcommittee on East Asia and the Pacific held a hearing on Recent Developments in Burma. Testimony was heard from the following officials of the Department of State: Matthew Daley, Assistant Secretary, East Asian and Pacific Affairs; and Karen Turner, Deputy Assistant Administrator, Bureau For Asia and the Near East, AID.

NATO AND ENLARGEMENT

Committee on International Relations: Subcommittee on Europe held a hearing on "NATO and Enlargement: A United States and NATO Perspective." Testimony was heard from the following officials of the Department of Defense: Gen. Joseph W. Ralston, USAF, Commander-in-Chief, U.S. European Command; and Ian Brzezinski, Deputy Assistant Secretary, European and NATO Affairs; and Robert A. Bradtke, Deputy Assistant Secretary, Bureau of European Affairs, Department of State.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following measures: H. R. 4623, amended, Child Obscenity and Pornography Prevention Act of 2002; H.R. 4477, amended, Sex Tourism Prohibition Improvement Act of 2002; H.R. 4679, amended, 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, amended, Anti-Terrorism Explosives Act of 2002.

OVERSIGHT—INS'S INTERIOR ENFORCEMENT STRATEGY

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing on "The Immigration and Naturalization Service's (INS's) Interior Enforcement Strategy." Testimony was heard from Joseph R. Greene, Assistant Commissioner, Investigations, INS, Department of Justice; Richard M. Stana, Director, Justice Issues, GAO; and public witnesses.

OVERSIGHT

Committee on Resources: Held an oversight hearing on the Washington Aqueduct and the effects of its discharge on the C&O Canal National Historic Park and the endangered shortnose sturgeon. Testimony was heard from Don Murphy, Deputy Director, National Park Service, Department of the Interior; Tim Keeney, Deputy Assistant Secretary, Oceans and Atmosphere, NOAA, Department of Commerce; Dominic Izzo, Principal Deputy Assistant Secretary, Civil Works, U.S. Army Corps of Engineers, Department of the Army; and Ben Grumbles, Deputy Assistant Administrator, Office of Water, EPA.

SOUND SCIENCE FOR ENDANGERED SPECIES ACT PLANNING ACT

Committee on Resources: Held a hearing on H.R. 4840, Sound Science for Endangered Species Act Planning Act of 2002. Testimony was heard from Craig Manson, Assistant Secretary, Fish, Wildlife, and Parks, Department of the Interior; and William Hogarth, Assistant Administrator, Fisheries, NOAA, Department of Commerce.

ANDEAN TRADE PREFERENCE EXPANSION ACT—RELATING TO CONSIDERATION OF SENATE AMENDMENT

Committee on Rules: Granted, by voice vote, a resolution providing that H.R. 3009, Andean Trade Preference Expansion Act, and the Senate amendment thereto, shall be taken from the Speaker's table and agreed to with the amendment printed in the report of the Committee on Rules accompanying the resolution. The resolution provides that the House shall be considered to have insisted on its amendment to the Senate amendment. Finally, the resolution provides that the House shall be considered to have requested a conference with the Senate thereon. Testimony was heard from Chairman Thomas and Representatives Rangel and Levin.

HOW LIMITING INTERNATIONAL VISITOR VISAS HURTS SMALL BUSINESS TOURISM

Committee on Small Business: Held a hearing on How Limiting International Visitor Visas Hurts Small Business Tourism. Testimony was heard from James W. Ziglar, Commissioner, INS, Department of Justice; Thomas Sullivan, Chief Counsel, Office of Advocacy, SBA; John E. Bush, Governor, State of Florida; John Lewis, former Assistant Director, FBI, National Security Division (Counterintelligence and Counter-terrorism), Department of Justice; and public witnesses.

ARMING PILOTS AGAINST TERRORISM ACT

Committee on Transportation and Infrastructure: Subcommittee on Aviation approved for full Committee action, as amended, H.R. 4635, Arming Pilots Against Terrorism Act.

MEDICARE MODERNIZATION AND PRESCRIPTION DRUG ACT; IMPROVING ACCESS TO LONG-TERM CARE ACT

Committee on Ways and Means: Ordered reported, as amended, the following bills: H.R. 4954, Medicare Modernization and Prescription Drug Act of 2002; and H.R. 4946, Improving Access to Long-Term Care Act of 2002.

Joint Meetings

9/11 INTELLIGENCE INVESTIGATION

Joint Hearing: Senate Select Committee on Intelligence continued joint closed hearings with the House Permanent Select Committee on Intelligence to examine events surrounding September 11, 2001, receiving testimony from officials of the intelligence community.

Joint hearings recessed subject to call.

KOSOVO ETHNIC HARMONY

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission 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, after receiving testimony from Rada Trajkovic, Kosovo Parliamentarian, Kosovo Serv Povratak Coalition, Podujevo; Alush Gashi, Kosovo Parliamentarian, Democratic League of Kosovo, and Valerie Percival, International Crisis Group, both of Pristina; and Nebojsa Covic, Deputy Prime Minister of Serbia, Belgrade, Serbia, Yugoslavia.

COMMITTEE MEETINGS FOR THURSDAY, JUNE 20, 2002

(Committee meetings are open unless otherwise indicated)

Senate

Special Committee on Aging: to hold hearings to examine long-term care financing, 9:30 a.m., SD–628.

Committee on Appropriations: Subcommittee on Transportation, to hold hearings to examine Amtrak's financial condition, 1:30 p.m., SD–192.

Committee on Armed Services: to hold hearings on the nomination of Gen. Ralph E. Eberhart, USAF, for reappointment to the grade of general and to be Commander in Chief, United States Northern Command/

Commander, North American Aerospace Defense Command, 9:30 a.m., SH–216.

Committee on Energy and Natural Resources: Subcommittee on National Parks, to hold hearings on S. 193/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, 2:30 p.m., SD–366.

Committee on Environment and Public Works: Subcommittee on Superfund, Toxics, Risk, and Waste Management, to hold hearings to examine lessons learned from asbestos remediation activities in Libby, Montana, as well as home insulation concerns relating to asbestos, 9:30 a.m., SD–406.

Committee on Governmental Affairs: to hold hearings to examine the President's proposal to create a Department of Homeland Security, 9:30 a.m. SD–106.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine workers freedom of association, focusing on obstacles to forming unions, 10 a.m., SD–430.

Select Committee on the Judiciary: business meeting to consider S. 1291, to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien college-bound students who are long term United States residents; S. 2134, to allow American victims of state sponsored terrorism to receive compensation from blocked assets of those states; H.R. 3375, to provide compensation for the United States citizens who were victims of the bombings of United States embassies in East Africa on August 7, 1998, on the same basis as compensation is provided to victims of the terrorist-related aircraft crashes on September 11, 2001; S. 486, to reduce the risk that innocent persons may be executed; S. 2621, to provide a definition of vehicle for purposes of criminal penalties relating to terrorist attacks and other acts of violence against mass transportation systems; S. 2633, to prohibit an individual from knowingly opening, maintaining, managing, controlling, renting, leasing, making available for use, or profiting from any place for the purpose of manufacturing, distributing, or using any controlled substance; S. 1754, to authorize appropriations for the United States Patent and Trademark Office for fiscal years 2002 through 2007; H.R. 1866, to amend title 35, United States Code, to clarify the basis for granting requests for reexamination of patents; H.R. 1886, to amend title 35, United States Code, to provide for appeals by third parties in certain patent reexamination proceedings; H.R. 2068, to revise, codify, and enact without substantive change certain general and permanent laws, related to public buildings, property, and works, as title 40, United States Code, "Public Buildings, Property, and Works"; and pending nominations, 10 a.m., SD–226.

House

Committee on Appropriations, Subcommittee on Transportation, on Transportation Security Administration, 10 a.m., 2358 Rayburn.

Subcommittee on the Treasury, Postal Service, and General Government, on Office of National Drug Control Policy, 10 a.m., 2359 Rayburn.

Committee on Education and the Workforce, Subcommittee on Workforce Protections, hearing on "An Assessment of the Use of Union Dues for Political Purposes: Is the Law Being Followed or Violated?" 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, to continue consideration of Medicare Prescription Drug Benefit; and other pending business, 9:30 a.m., 2123 Rayburn.

Committee on Financial Services, to consider H.R. 3995, Housing Affordability for America Act of 2002, 10 a.m., 2128 Rayburn.

Committee on Government Reform, to consider the Postal Accountability and Enhancement Act, 10 a.m., and to hold a hearing on "The Department of Homeland Security: An Overview of the President's Proposal," 1 p.m., 2154 Rayburn.

Committee on International Relations, hearing on Oil Diplomacy: Facts and Myths Behind Foreign Oil Dependency, 10:45 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, oversight hearing on "Litigation and its Effect on the Rails-To-Trails Program," 10 a.m., 2141 Rayburn.

Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing on "Patent Reexamination and Small Business Innovation," 2 p.m., 2141 Rayburn.

Committee on Resources, Subcommittee on Fisheries Conservation, Wildlife and Oceans, to mark up the following measures: H. Con. Res. 408, honoring the American Zoo and Aquarium Associate for their continued service to animal welfare, conservation education, conservation research, and wildlife conservation programs; H.R. 3937, to revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California; H.R. 4807, Susquehanna National Wildlife Refuge Expansion Act; H.R. 4882, to revise and modernize the provision of law governing the commissioned officer corps of the National Oceanic and Atmospheric Administration; and H.R. 4883, Hydrographic Services Improvement Act Amendments of 2002, 11 a.m., 1334 Longworth.

Subcommittee on Forests and Forest Health, hearing on the following: H.R. 4870, Mount Naomi Wilderness Boundary Adjustment Act; H.R. 4952, Mount Wilson Observatory Preservation and Enhancement Act; H.R. 3802, to amend the Education Land Grant Act to require the Secretary of Agriculture to pay the costs of environmental reviews with respect to conveyances under that Act; H.R. 4919, Tonto and Coconino National Forest Land Exchange Act; and H.R. 4917, Los Padres National Forest Land Exchange Act of 2002, 9:30 a.m., 1334 Longworth.

Committee on Rules, to consider H.R. 4931, Retirement Savings Security Act of 2002, 2 p.m., H–313 Capitol.

Committee on Science, Subcommittee on Environment, Technology, and Standards, hearing on Research Priorities for Aquatic Invasive Species, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Highways and Transit, hearing on Federal Transit Capital Grants Programs, 2 p.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Oversight, hearing on Retirement Security and Defined Benefit Pension Plans, 2 p.m., 1100 Longworth.

Subcommittee on Social Security, to continue hearings on Social Security Disability Programs' Challenges and Opportunities, 10 a.m., B–318 Rayburn.

Joint Meetings

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, 11:30 a.m., 334 Cannon Building.

Next Meeting of the SENATE

9:30 a.m., Thursday, June 20

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will continue consideration of S. 2514, National Defense Authorization Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, June 20

House Chamber

Program for Thursday: Consideration of H. Res. 450, relating to consideration of the Senate amendment to H.R. 3009, Andean Trade Preference Act; and

Consideration of H.R. 1979, Small Airport Safety, Security, and Air Service Improvement Act (open rule, one hour of debate).

Extensions of Remarks, as inserted in this issue

HOUSE

Ackerman, Gary L., N.Y., E1102
Bereuter, Doug, Nebr., E1098
Berry, Marion, Ark., E1100
Bonior, David E., Mich., E1100
Cardin, Benjamin L., Md., E1104
Castle, Michael N., Del., E1100
Chabot, Steve, Ohio, E1096
Cummings, Elijah E., Md., E1101
Davis, Tom, Va., E1099
Duncan, John J., Jr., Tenn., E1098
Forbes, J. Randy, Va., E1091, E1093
Gekas, George W., Pa., E1104
Gilman, Benjamin A., N.Y., E1096
Gutierrez, Luis V., Ill., E1104
Israel, Steve, N.Y., E1092, E1094
Jones, Stephanie Tubbs, Ohio, E1101
Knollenberg, Joe, Mich., E1097
Lampson, Nick, Tex., E1103
Lipinski, William O., Ill., E1103
McGovern, James P., Mass., E1102
McInnis, Scott, Colo., E1091, E1092, E1093, E1094, E1095, E1096, E1097, E1099, E1101, E1101
Miller, Gary G., Calif., E1093
Miller, George, Calif., E1094
Morella, Constance A., Md., E1093, E1095
Ortiz, Solomon P., Tex., E1094
Ose, Doug, Calif., E1094
Oxley, Michael G., Ohio, E1102
Rogers, Mike, Mich., E1098
Schaffer, Bob, Colo., E1099
Skelton, Ike, Mo., E1096, E1101
Smith, Christopher H., N.J., E1096
Smith, Nick, Mich., E1103
Solis, Hilda L., Calif., E1091, E1093
Stupak, Bart, Mich., E1104
Thompson, Bennie G., Miss., E1098
Thompson, Mike, Calif., E1094
Udall, Mark, Colo., E1091, E1092, E1095

Congressional Record The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed at one time. ¶Public access to the Congressional Record is available online through *GPO Access,* a service of the Government Printing Office, free of charge to the user. The online database is updated each day the Congressional Record is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available through GPO Access at www.gpo.gov/gpoaccess. Customers can also access this information with WAIS client software, via telnet at swais.access.gpo.gov, or dial-in using communications software and a modem at (202) 512–1661. Questions or comments regarding this database or GPO Access can be directed to the GPO Access User Support Team at: E-Mail: gpoaccess@gpo.gov; Phone 1–888–293–6498 (toll-free), 202–512–1530 (D.C. area); Fax: 202–512–1262. The Team's hours of availability are Monday through Friday, 7:00 a.m. to 5:30 p.m., Eastern Standard Time, except Federal holidays. ¶The Congressional Record paper and 24x microfiche will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $211.00 for six months, $422.00 per year, or purchased for $5.00 per issue, payable in advance; microfiche edition, $141.00 per year, or purchased for $1.50 per issue payable in advance. The semimonthly Congressional Record Index may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to (866) 512–1800 (toll free), (202) 512–1800 (D.C. Area), or fax to (202) 512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.