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No. 85

## House of Representatives

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
June 24, 2002.

I hereby appoint the Honorable DARRELL E. ISSA to act as Speaker pro tempore on this day.

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

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 2594. An act to authorize the Secretary of the Treasury to purchase silver on the open market when the silver stockpile is depleted, to be used to mint coins.

The message also announced that pursuant to Public Law 105-277, the Chair, on behalf of the Majority Leader, announces the appointment of the following individuals to serve as members of the Parents Advisory Council on Youth Drug Abuse:

Darcy L. Jensen of South Dakota (Representative of Non-Profit Organization), vice Kerrie S. Lansford, term expired.

Dr. Lynn McDonald of Wisconsin, vice Robert L. Maginnis, term expired.

George L. Lozano of California, vice Darcy Jensen, term expired.

Rosanne Ortega of Texas, vice Dr. Lynn McDonald term expired.

### MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of Janu-

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

The Chair recognizes the gentleman from New Jersey (Mr. PALLONE) for 5 minutes.

### PRESCRIPTION DRUG COVERAGE

Mr. PALLONE. Mr. Speaker, I must say that I am pleased to see that the Republican leadership may bring a prescription drug bill to the floor this week before the July 4 recess, but I am very disappointed with the legislation that they have brought forward; and I can only hope that when they bring the bill to the floor, they will allow a Democratic substitute, Medicare prescription drug bill, which is far superior and will be the only legislation I think that would accomplish the goal of making sure and guaranteeing all seniors have a decent prescription drug benefit. I would ask that the Republican leadership make sure that we be allowed as Democrats to bring up our substitute when this matter goes before the Committee on Rules this week.

I want to talk about two areas that I think are important with regard to this prescription drug initiative. First of all, the Democrats insist that a prescription drug benefit be under Medicare. Medicare has been a very successful program that has worked in terms of providing hospital care and physician care over the last 30 or 40 years, and the only way that we are going to have an effective prescription drug plan is if we use the Medicare model and if we make sure that the prescription drug benefit is guaranteed under Medicare. That assures that every sen-

ior has a guaranteed prescription drug benefit, that it is a benefit where they know what the premium is, they know what the deductible is and what the Federal Government is going to provide.

What the Republicans have done in their bill is to ignore Medicare, and they have basically decided to throw some money to private insurance companies in the hope that they will offer a prescription drug plan for seniors, and it will not work. The bottom line is if this bill were to become law, very few, if any, seniors would be able to actually find a private insurance company that would provide them with a prescription drug plan. So it is a hoax. It is not a real prescription drug benefit that is going to be meaningful.

In case anyone questions my motives in saying that, I will simply read from the editorial that was in this Saturday's New York Times. It is a section that says "House Republicans who regard traditional Medicare as antiquated would provide money to private insurance companies, a big source of GOP campaign donations, to offer prescription drug policies. The idea of relying on private companies seems more ideological than practical. The pool of elderly Americans who will want the insurance is likely to consist of those who have the most need for expensive medicine. Even with Federal subsidies, it is unclear that enough insurance companies would be willing to participate and provide the economies that come from competition."

The bottom line is under the Republican plan there will not be any insurance policies and there will be nothing for seniors to have and there will not be a prescription drug benefit.

The other major problem with the Republican proposal contrasting with the Democratic proposal is the Republican proposal does not deal with price. The biggest problem facing seniors now is that the cost of prescription drugs

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

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



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are too high, and the Republicans go out of their way in their proposal to make sure that the price issue is not dealt with at all.

Today, Families USA, which is a great organization that has been dealing with this prescription drug issue, put out a report called "Bitter Pill, The Rising Prices of Prescription Drugs for Older Americans," and the report released today by Families USA basically says that the problem is that prescription drugs cost too much. Thirty-six out of 50 of the drugs most used by seniors rose three or more times the rate of inflation last year. That is simply unacceptable and cannot be justified, in my opinion, by the pharmaceutical companies.

But what does the Republican bill do about price? Absolutely nothing. It actually has a clause in the bill that was put in, I understand, from the Conservative Action Team, Republican, the CATs, that actually says that the administrator of the program cannot interfere in any way in any negotiations to deal with price. It absolutely forbids any kind of pricing structure, absolutely forbids that the administrator of the prescription drug program get involved in any kind of negotiations that would reduce price. That is an outrage. That is because the Republicans are very much in the pocket of the pharmaceutical industry, and they do not want the issue of prices and price reductions effectively dealt with as part of this legislation. That will also doom the Republican legislation.

The Democrats by contrast, because their program is under Medicare, the Democrats mandate the Secretary of Health and Human Services to negotiate to reduce prices for now 30 or 40 million seniors that are part of the Medicare program and will now have a prescription drug benefit. What we are saying is if we put this program under Medicare, then we are guaranteeing that the Secretary of Health and Human Services has a pool of 30 to 40 million seniors that he can negotiate for; and we mandate that he negotiate to reduce price, and he will have the ability to do so. So a hallmark of the Democratic proposal is not only that it is under Medicare and there is a guaranteed benefit wherever one is in the country but also that there is a guarantee that the program will try to reduce cost, reduce price, which is so crucial if the program is going to be successful.

I challenge the Republicans to heed what the Democrats are saying and address the issue of price and put their program under Medicare, which they have refused to do so far.

#### MEDICARE PRESCRIPTION DRUG BENEFIT

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

Mr. STEARNS. Mr. Speaker, I would say to the gentleman from New Jersey that the Republican plan is based upon what I have as a Member of Congress and what he has and also what the Senators have and what the President has, which is based upon free enterprise. It is a private sector prescription drug program. The program we as Republicans are providing has the same prototype. I think the contrast he makes is valid, only in that he wants the government to run this program and we want the private sector to run the prescription drug program. We do not want mandates. We do not want price controls. We want just basically the free enterprise to work.

The committee he and I serve on, Energy and Commerce, marked up a bill last week and also the Committee on Ways and Means marked up a bill. Both of these bills have been marked up by the Republican majority. There is much in these bills to applaud. We have addressed shortfalls in payments to hospitals and incorrect formulas in reimbursing physicians. However, most significantly, the bill out of the Commerce Committee contains the long overdue addition of a prescription drug benefit for Medicare. Medicare was designed before innovative and lifesaving medications played such a prominent role in health care. Our seniors and disabled beneficiaries have waited for many years to get this final plan that we are working on and hopefully will vote on this week.

One point I would like to raise is that while expansion of health care coverage, including a prescription drug benefit, is a goal for all of us here in the House, opinions obviously differ between myself and the gentleman from New Jersey on how to achieve it. Simply expanding and automatically funding government programs is not necessarily the most desirable route to take. I see in the CQ Daily Monitor today that one of our Democrat colleagues reasons that an \$800 billion plan delivered by the government would be "what seniors are used to, are entitled to, what is fair." It is three times the program the Republicans have proposed.

I disagree and I dare say the seniors for whom he claims to be speaking may want a fresh approach, rather than another stale, rigid government program in delivering their prescription drug benefit as well. Choice and individual decision-making are hallmarks of America, and free market approaches best lead to economy, quality and freedom for all. Over my years as a Member of Congress, I have consistently worked for consumer choice in health care, and I believe we should approach this piece of legislation from exactly this point of view. Let us try to harness the free market forces that empower all of us to make our own decisions about health care instead of having the Federal Government do it for us.

This bill would deliver a responsible, affordable, flexible prescription drug

benefit to our seniors and disabled. The bill works via many favorable market-based elements. It arranges for competitive bidding among health care plans. It does not oppose innovation-stifling price caps. We have crafted a benefit plan to be financed and administered by a new Medicare benefits administration but to be delivered by the private sector. Seniors can shop around for a benefit that works best for them, just like myself and other Members of Congress can do.

American insurance companies offer a myriad of choices in health plans, from health maintenance, HMOs, to fee-for-service, drug-benefit-only or point-of-service plans, with the most lenient alternatives for the beneficiaries. We Members of Congress have a variety of options at our disposal, from basic to gold-plated, based upon how much we want to pay. We can select what works for our family situation, our health needs and, of course, our budget. Our seniors deserve no less.

The substitute approach the minority favors would first cost a grossly irresponsible amount of money. It would bankrupt Medicare, but also limit drug and doctor choices for seniors, force them to navigate a bloated bureaucracy and lead to price controls. From the Soviet Union to the backlogged lines for health care treatment experienced in Canada, our neighbor, history and economics have reliably borne out that price controls do not work for patients and they will dampen incentives for our pharmaceutical industry to continue producing new and innovative drugs that cure, relieve and enhance our quality of life.

Finally, Mr. Speaker, I add that it is not only fiscally dangerous to rely on the Federal Government for all the answers, but a government one-size-fits-all approach is both philosophically arrogant and paternalistic. It deprives Medicare beneficiaries of the option to exercise the same choices that you and I do. Finally, while this bill is largely about benefits for today's Medicare beneficiaries, the cost impact of this legislation on today's taxpayers, the young people today who will be tomorrow's beneficiaries, should be noted. The Republican bill contains the most realistic, liberating approach of a prescription drug benefit for seniors today while keeping the Medicare program healthy for tomorrow's beneficiaries like my children.

Having said that, I look forward to what will surely be a lively debate. Let us do what is best for today's Medicare beneficiaries, but at the same time keep an eye on the future of the Medicare program.

#### RECESS

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

Accordingly (at 12 o'clock and 45 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

## AFTER RECESS

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

## PRAYER

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

Lord God, You have revealed Your commands and Your marvelous deeds throughout the ages to Your people of faith. In weekend worship we have been strengthened by the faith of others and empowered to see Your action in the unfolding of the present moment.

To stand firm in faith is to push against fear. If we persevere in faith, sadness will never overtake the heart. For sadness comes from the disappointment of placing our trust in ourselves or in anything or anyone other than You, O Lord. All Your creatures are frail and lifeless without You, O Lord, and human hearts never find rest except in what is stable and secure.

Inspire renewed faith in the Members of the House of Representatives as this Nation seeks direction from You, the Creator and Governor of the universe. To achieve justice in our time and pave the way for a secure peace in the world, fasten our hearts on being Your instruments of re-creation now and forever. Amen.

## THE JOURNAL

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

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

Mr. CANNON. 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. CANNON. 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 the Virgin Islands (Mrs. CHRISTENSEN) come forward and lead the House in the Pledge of Allegiance.

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

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

## REVOCATION OF PUBLIC LAND ORDER WITH RESPECT TO LANDS ERRONEOUSLY INCLUDED IN CIBOLA NATIONAL WILDLIFE REFUGE, CALIFORNIA

Mr. CANNON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3937) to revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California, as amended.

The Clerk read as follows:

H.R. 3937

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

## SECTION 1. REVOCATION OF PUBLIC LAND ORDER WITH RESPECT TO LANDS ERRONEOUSLY INCLUDED IN CIBOLA NATIONAL WILDLIFE REFUGE, CALIFORNIA.

Public Land Order 3442, dated August 21, 1964, is revoked insofar as it applies to the following described lands: San Bernardino Meridian, T11S, R22E, sec. 6, all of lots 1, 16, and 17, and SE $\frac{1}{4}$  of SW $\frac{1}{4}$  in Imperial County, California, aggregating approximately 140.32 acres.

## SEC. 2. RESURVEY AND NOTICE OF MODIFIED BOUNDARIES.

The Secretary of the Interior shall, by not later than 6 months after the date of the enactment of this Act—

(1) resurvey the boundaries of the Cibola National Wildlife Refuge, as modified by the revocation under section 1;

(2) publish notice of, and post conspicuous signs marking, the boundaries of the refuge determined in such resurvey; and

(3) prepare and publish a map showing the boundaries of the refuge.

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

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

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

This legislation will revoke a small portion of the Public Land Order that originally created Cibola in 1964. While the refuge is more than 17,000 acres, there is a small component of the unit known as "Walter's Camp." Based on

testimony from the U.S. Fish and Wildlife Service, it is clear that a mistake was made to include this property within the refuge. In fact, about a dozen years ago, the Service constructed a fence around what they thought were the boundaries of the refuge, and Walter's Camp was excluded.

Walter's Camp has provided recreational opportunities for over 40 years. It provides family-friendly recreation to nearly 15,000 people a year who travel there to camp, hike, canoe, fish, bird watch and rockhound along the lower Colorado River.

The concessionaire who operates this camp has obtained the necessary permits from the Bureau of Land Management. According to a BLM representative in Yuma, Arizona, there have been no problems with Walter's Camp, the concessionaire has been extremely cooperative, the facilities are inspected about every 6 months, and by transferring title to BLM, the net effect will be to improve environmental protection for the lower Colorado River.

The U.S. Fish and Wildlife Service testified there are little, if any, resource values on the 140 affected acres and that the best course of action for everyone, including the Government, the concessionaire and the general public, is to remove these lands from the refuge system.

H.R. 3937 will accomplish that goal. It will end the confusion as to who has title to this property, and it will reaffirm that the management of the concession is the jurisdiction of the Bureau of Land Management.

I urge an aye vote on H.R. 3937, and I want to compliment the gentleman from California (Mr. HUNTER) for his tireless efforts on behalf of this legislation.

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

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

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

Mrs. CHRISTENSEN. Mr. Speaker, as stated by the previous speaker, my colleague, the overall purpose of the bill before the House is to resolve a long-standing error that included a concession known as Walter's Camp as part of the original land withdrawal which established the Cibola National Wildlife Refuge.

In the course of the Committee on Resources' investigation into this matter, we have come to understand that the inclusion of Walter's Camp was a genuine error in the original 1964 withdrawal. We have also been careful to ensure that nothing in H.R. 3937 will affect public ownership of the lands revoked by H.R. 3937. All title interests will remain with the Federal Government.

As a result, I support this legislation to correct the mistake which under law cannot be resolved administratively by the Secretary of the Interior.

Some concerns were raised, however, concerning the potential for encroachment onto the Cibola Refuge, intentional or accidental, by recreational off-road vehicle enthusiasts who might visit Walter's Camp in the future. Clearly, off-road vehicle use is not compatible with the purposes of the Cibola National Wildlife Refuge. Moreover, this issue could become a significant management headache for both the Fish and Wildlife Service and the Bureau of Land Management, the agency that oversees the concession permit for Walter's Camp.

In this respect, I commend the gentleman from Maryland (Mr. GILCREST), the chairman of the Subcommittee on Fisheries Conservation, Wildlife and Oceans, and the gentleman from Guam (Mr. UNDERWOOD), the ranking Democrat on the subcommittee, for amending the bill to require the Secretary of the Interior to, within 6 months after the date of enactment, to re-survey and conspicuously mark the new adjusted boundaries.

I also note for the record that H.R. 3937, as amended in committee, would not affect in any way concession operations at Walter's Camp, nor would this legislation impose any new regulations on the different recreational activities, including ORV use, that occur on nearby Bureau of Land Management lands or lands within the refuge.

H.R. 3937 is thoughtful, commonsense legislation that will correct an administrative error, protect the fragile wildlife habitat of the Cibola Refuge and ensure the future operation of a much-needed recreational facility in a remote area.

I urge Members to support H.R. 3937.

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

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

We may have a colleague showing up here momentarily, but let me thank the gentlewoman, first of all, for her comments on this, and point out that we worked very well together on these bills where there is consensus and important issues, including recreation, for our constituents and the people of America.

Mr. HUNTER. Mr. Speaker, I would like to thank you for allowing this vote today on H.R. 3937. I would also like to express my appreciation to my constituent, Mr. Frank Dokter, who brought this important issue to my attention, and to Chairman GILCREST whose leadership was necessary in bringing this bill to the floor. The legislation is necessary to enable a family in my district to continue operating a long time outdoor recreation camp on a Bureau of Land Management (BLM) permit, which is in danger of being cancelled since the BLM recently discovered that the camp was included in the creation of a National Refuge in 1964.

Mr. Dokter and his family operate Walter's Camp, a BLM concession on land near the lower Colorado River in Imperial County, California. The facility provides visitors with a fam-

ily-friendly outdoors experience, which includes camping, hiking, canoeing, fishing, bird-watching and rock-hounding. In an increasingly crowded Southern California, Mr. Dokter and his family have provided a welcome diversion from city life to many of the region's outdoors enthusiasts.

Walter's Camp was first authorized in 1962, and in August 1964, Public Land Order 3442 withdrew 16,627 acres along the Colorado River to create the Refuge. The withdrawal erroneously included the 140 acre Walter's Camp, but neither the BLM or the Fish and Wildlife Service knew the new Refuge contained the Camp. Refuge personnel even built a fence years ago physically excluding Walter's Camp from the Refuge. The BLM continued to renew the original permit, allowing the recreational concession use to continue unbroken until the present time. However, given this recent discovery, the BLM does not have the authority to continue issuing the concession contracts to Walter's Camp.

The Fish and Wildlife Service and the BLM agree that the land has "insignificant, if any, existing, potential, wildlife habitat value," as stated in a Department of Interior memo. Therefore, I have introduced H.R. 3937 to correct this mistake and allow the BLM to continue to issue contracts to Walter's Camp.

Again, Mr. Speaker, I offer my sincere commendation that this land be taken out of the Cibola National Wildlife Refuge, and that Mr. Dokter's family be allowed to continue such a valuable and productive service to our region. Respectfully, I urge my colleagues' support on final passage.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CANNON) that the House suspend the rules and pass the bill, H.R. 3937, as amended.

The question was taken.

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

Mr. CANNON. 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.

#### GLEN CANYON NATIONAL RECREATION AREA BOUNDARY REVISION ACT OF 2002

Mr. CANNON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3786) to revise the boundary of the Glen Canyon National Recreation Area in the States of Utah and Arizona, as amended.

The Clerk read as follows:

H.R. 3786

*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 "Glen Canyon National Recreation Area Boundary Revision Act of 2002".*

#### SEC. 2. GLEN CANYON NATIONAL RECREATION AREA BOUNDARY REVISION.

(a) IN GENERAL.—The first section of Public Law 92-593 (16 U.S.C. 460dd; 86 Stat. 1311) is amended—

(1) by striking "That in" and inserting "SECTION 1. (a) In"; and

(2) by adding at the end the following:

"(b)(1) In addition to the boundary change authority under subsection (a), the Secretary may acquire approximately 152 acres of private land in exchange for approximately 370 acres of land within the boundary of Glen Canyon National Recreation Area, as generally depicted on the map entitled 'Page One Land Exchange Proposal', number 608/60573a-2002, and dated May 16, 2002. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service. Upon conclusion of the exchange, the boundary of the recreation area shall be revised to reflect the exchange.

"(2) Before the land exchange under this subsection, the Secretary may enter into a memorandum of understanding with the person that will acquire lands from the United States in the exchange, to establish such terms and conditions as are mutually agreeable regarding how those lands will be managed after the exchange."

(b) CHANGE IN ACREAGE CEILING.—Such section is further amended by striking "one million two hundred and thirty-six thousand eight hundred and eighty acres" and inserting "1,256,000 acres".

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

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

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

H.R. 3786, which I introduced, would authorize the Secretary of the Interior to complete a land exchange that would help him protect an important scenic view located in southern Utah at the Glen Canyon National Recreation Area and to revise the boundaries of the park to reflect the exchange and the present boundaries of the park.

The exchange would facilitate the acquisition of 152 acres, including an important scenic view by the Park Service, while the private developer would acquire 370 acres of land on the other side of Highway 89. The parcel acquired by the Park Service will also help facilitate a more manageable boundary at the park's most visited entrance. While the Park Service will be acquiring land of considerably greater value than the developer, the private developer has expressed a willingness to donate the approximately \$350,000 difference in value to the National Park Service.

H.R. 3786, as amended, also contains a provision that authorizes the Secretary of the Interior to enter into a Memorandum of Understanding with the developer to describe such terms and conditions as are mutually agreeable regarding how the lands will be managed following the exchange.

The bill is supported by both the majority and minority, as well as the administration, and I urge my colleagues to support it.

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

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

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

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 3786 would authorize the exchange of land within the Glen Canyon National Recreation Area for a private parcel adjacent to the park.

Mr. Speaker, a land exchange issue is very complex, and I want to take this opportunity to commend my colleague, the gentleman from Utah (Mr. CANNON), for his work in ushering this bill to the subcommittee and committee and getting it to the floor today.

As all of my colleagues are aware, there continues to be great concern regarding exchanges in general. In many instances, it is not at all clear that the taxpayers are receiving full value for the lands being traded away in their names. In fact, in many instances, it is clear they are not. We remain committed to developing a comprehensive approach that might address the failures in the current exchange process.

In the meantime, it is our hope that we would only approve specific exchanges that truly serve the best interests of the taxpayers, and it appears we have such an exchange in this instance.

The basic concept of the exchange contained in H.R. 3786 appears to serve both the interests of the private landowner as well as the park. In addition, once authorized, this exchange will go through a full NEPA process, including appraisals, which should identify and address any remaining issues.

We support passage of H.R. 3786.

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

Mr. CANNON. Mr. Speaker, I thank the gentlewoman for her support and kind words; and, having no more speakers, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CANNON) that the House suspend the rules and pass the bill, H.R. 3786, as amended.

The question was taken.

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

Mr. CANNON. 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.

□ 1415

NEW RIVER GORGE BOUNDARY  
ACT OF 2002

Mr. CANNON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3858) to modify the boundaries of

the New River Gorge National River, West Virginia.

The Clerk read as follows:

H.R. 3858

*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 "New River Gorge Boundary Act of 2002".

**SEC. 2. NEW RIVER GORGE NATIONAL RIVER BOUNDARY MODIFICATIONS.**

(a) BOUNDARY MODIFICATION.—Section 1101 of the National Parks and Recreation Act of 1978 (16 U.S.C. 460m-15) is amended by striking "NERI-80,028A, dated March 1996" and inserting "NERI 80,034, dated May 2001".

(b) LAND EXCHANGE.—

(1) IN GENERAL.—The Secretary of the Interior shall complete a fee simple land exchange in the vicinity of Beauty Mountain, Fayette County, West Virginia, to acquire a tract of land identified as NERI Tract Number 150-07 that lies adjacent to the boundary of the New River Gorge National River in exchange for a tract of land identified as NERI Tract Number 150-08 located within such boundary.

(2) TREATMENT OF EXCHANGED LANDS.—Upon the completion of such land exchange—

(A) the land acquired by the United States in the exchange shall be included in the boundaries, and administered as part, of the New River Gorge National River; and

(B) the land conveyed by the United States in the exchange shall be excluded from the boundaries, and shall not be administered as part, of the New River Gorge National River.

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

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

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

H.R. 3858, introduced by the ranking member of the Committee on Resources, the gentleman from West Virginia (Mr. RAHALL), would authorize the expansion of the boundary of the New River Gorge National River in West Virginia.

The New River Gorge National River was established in 1978 to preserve and protect approximately 53 miles of the free-flowing New River. It was also designated an American heritage river in July of 1998. The rugged New River flows northward through deep canyons and is considered to be among the oldest rivers on the continent. The National River Park unit presently encompasses approximately 70,000 acres. The park contains miles of hiking trails and even some mountain biking and horseback trails.

This bill would modify the boundaries of the park unit to take in six tracts of land, totaling 1,962 acres, from five different owners, all of whom are willing sellers. The modification to the boundary would allow for the preservation of scenic viewsheds within the park as well as accommodating certain recreational activities within the park. The bill would also address an encroachment issue in which a property owner unknowingly built his private

home within the boundaries of the park. This encompasses approximately only a third of an acre.

The bill is supported by both the majority and the minority, and I urge my colleagues to support it.

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

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

Mr. Speaker, H.R. 3858, introduced by my colleague and the ranking Democrat on the Committee on Resources, the gentleman from West Virginia (Mr. RAHALL), would modify the boundary of the New River Gorge National River in West Virginia to add approximately 1,962 acres to the park and correct a minor boundary encroachment.

The proposed boundary modifications would enhance the management and use of the resource values of the New River. These additions consist of six tracts of land held by five owners, all of whom are willing sellers. The legislation would also correct the very minor boundary encroachment with a private landowner who has inadvertently constructed a portion of a home on Federal land.

The Committee on Resources held a hearing on H.R. 3858, and the bill was favorably reported by the committee last month. I would note that the gentleman from West Virginia (Mr. RAHALL) worked closely with the National Park Service on the development of this legislation, and I want to commend him for his long-standing efforts to provide for the protection and the use of the New River Gorge National River.

Mr. Speaker, I urge the favorable consideration of H.R. 3858 by the House today.

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

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CANNON) that the House suspend the rules and pass the bill, H.R. 3858.

The question was taken.

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

Mr. GOODLATTE. 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks and to include extraneous materials in the RECORD on the three bills just considered, H.R. 3937, H.R. 3786, and H.R. 3858.

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

There was no objection.

**PROVIDING FOR INDEPENDENT INVESTIGATION OF FOREST SERVICE FIREFIGHTER DEATHS CAUSED BY WILDFIRE ENTRAPMENT OR BURNOVER**

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3971) to provide for an independent investigation of Forest Service firefighter deaths that are caused by wildfire entrapment or burnover.

The Clerk read as follows:

H.R. 3971

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

**SECTION 1. DEPARTMENT OF AGRICULTURE INSPECTOR GENERAL INVESTIGATION OF FOREST SERVICE FIREFIGHTER DEATHS.**

(a) INDEPENDENT INVESTIGATION.—In the case of each fatality of an officer or employee of the Forest Service that occurs due to wildfire entrapment or burnover, the Inspector General of the Department of Agriculture shall conduct an investigation of the fatality. The investigation shall not rely on, and shall be completely independent of, any investigation of the fatality that is conducted by the Forest Service.

(b) SUBMISSION OF RESULTS.—As soon as possible after completing an investigation under subsection (a), the Inspector General of the Department of Agriculture shall submit to Congress and the Secretary of Agriculture a report containing the results of the investigation.

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

The Chair recognizes the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume, and I rise today in support of H.R. 3971, introduced by my colleague, the gentleman from Washington State (Mr. HASTINGS), to provide for an independent investigation of Forest Service firefighter deaths that are caused by wildfire entrapment or burnover.

Today, as we debate this issue, large wildfires are burning across the country. Over 1.4 million acres have already been consumed, and the worst may be yet to come. The devastating fires that are burning right now warrant the passage of this legislation. This bill provides for a thorough and unbiased investigation of firefighter fatalities by an independent source.

Firefighting is an inherently dangerous job, and we should do what we can to reduce the risks. I believe the main purpose for this legislation is to prevent future deaths from occurring.

However, it is important to remember that the most effective way to prevent firefighter fatalities is to prevent catastrophic wildfires from occurring in the first place.

Our Nation's forests are in desperate need of good management to restore them to a state where they can endure natural low-intensity wildfires, wildfires that are more predictable and, therefore, safer for firefighters and communities by preventing the extreme and erratic behavior that makes fighting fires so dangerous. It is very simple logic. The best way to prevent firefighter deaths is to prevent catastrophic wildfires.

Due to past instances and the fires currently burning across the Nation, I believe this bill provides another tool for the well-being of firefighters. In so doing, I hope that we will not lose focus on the more important point of preventing wildfires through the healthy management of our forest land.

This legislation is important and strives to ensure mistakes causing deaths are not made twice. It ensures our Nation's commitment to the safety of firefighters. The integrity for investigations of firefighter deaths should not be jeopardized, and by passing this legislation we move to address the issue of creating safer environments for firefighters by preventing catastrophic wildfires.

I urge the Members of this body to join me in taking this important step today. By passing H.R. 3971, we can renew the efforts for firefighter protection and move on to ultimate safeguards for firefighters, which are the management of healthy forests and the prevention of catastrophic wildfires.

I congratulate the gentleman from Washington (Mr. HASTINGS) for his introduction of this legislation, and I urge my colleagues to join me in declaring a strong complement to the safety of firefighters.

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

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

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

Mrs. CHRISTENSEN. Mr. Speaker, I rise in support of H.R. 3971; and I want to commend the sponsors of this legislation, the gentleman from Washington (Mr. HASTINGS), the gentleman from Washington (Mr. NETHERCUTT), the gentlewoman from Washington (Ms. DUNN), but also on our side the gentleman from Washington (Mr. SMITH), the gentleman from Washington (Mr. INSLEE), the gentleman from Washington (Mr. DICKS), and the gentleman from Washington (Mr. LARSEN) for introducing this bill.

I think it is important, especially as we look at the fires that are raging in the West today, that we provide for an investigation of any deaths that might occur, as well as the deaths that oc-

curred last year. So I am pleased to stand here in support of this legislation.

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

Mr. GOODLATTE. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Washington State (Mr. HASTINGS), the author of the legislation.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, I thank the gentleman from Virginia for yielding me this time.

Mr. Speaker, the massive wildfires burning out of control in Arizona today are on the front pages of newspapers all across America reminding people in other parts of the country of the enormous threat these dangerous fires pose to both lives and property.

Westerners, however, need no such reminders because we live with the destructive power of wildfires year in and year out. At this time each summer, as the fire season gets under way, thousands of men and women strap on their gear and head out to fire lines seeking to contain one of the most destructive natural forces known to man.

Fighting wildfires is dirty, dangerous, and, at times, terrifying work. Those who do it face risks most of us can hardly imagine. They do so knowing that with first-rate training, equipment, and leadership, their efforts will help protect the lives and property of those caught in the path of raging wildfires.

Often, firefighters are injured in the line of duty. Sometimes, tragically, lives are lost on the fire line. In some cases, the cause is beyond anyone's control, other times mistakes are made. And mistakes will inevitably be made in these situations, which are so extraordinarily challenging to both the mind and the body.

Each time tragedy strikes in this way, it is only natural to seek to understand precisely what happened and why. Mr. Speaker, that desire is at the heart of this legislation before us today. Last summer, in my district, four young firefighters lost their lives fighting a fire known as the Thirty Mile Fire in Okanogan County. They were Tom Craven, Karen Fitzpatrick, Jessica Johnson, and Devin Weaver.

To most Americans, the people they see fighting wildfires in the news reports are just figures on their TV screens, and that is, of course, understandable. But to those of us in the West, those men and women are our neighbors and our friends; and it is natural for us to want to do all we can to protect those who risk so much protecting us. One of the best ways to protect lives in the future is to fully understand what caused the lost lives in the first place. That must be the unquestioned top priority of the Federal firefighting officials in the aftermath of any lethal wildfire.

My bill, H.R. 3971, is to ensure that that is done. This legislation requires

the Inspector General of the Department of Agriculture to conduct an investigation in the deaths of any firefighters killed by wildfire. This investigation is separate and independent of any Forest Service internal review. An independent examination of what went wrong will help provide information on how similar events can be prevented in the future and how firefighters can better be prepared and protected and how lives can be saved. Independent investigations will also help to ensure oversight and accountability in the Forest Service.

Mr. Speaker, this legislation may not benefit the families in my district that have endured the tragic loss of their loved ones; yet I am confident that they, more than anyone, understand the value of requiring independent investigations in the future. Should such a tragedy occur again, everyone concerned will have more confidence and faith in an independent investigation than an internal agency review.

It is the hope that no firefighter will lose their life battling a wildfire; yet we should pass this bill to make certain that if there is a loss of life, that tragedy will be independently investigated to identify what happened, why it happened, and how it can be prevented in the future.

□ 1430

In addition, no matter how much we improve the quality of investigations, it is vital that we take the necessary steps to improve forest health through responsible forest management practices. We have already seen too many devastating fires in the West this year that have caused terrible damage and harm to property and families.

Congress must act to address forest health and management practices. Regrettably, for too long this has not been a priority of the Federal Government. This "hands-off approach" has contributed to the devastation we see today in Arizona, Colorado, New Mexico, indeed throughout the West. Effective forest management is vital to removing the root causes of forest fires.

Finally, Mr. Speaker, I would like to take this opportunity to acknowledge Senator MARIA CANTWELL for her leadership in the other body. She has introduced companion legislation and has tirelessly worked to ensure that this legislation becomes law. The goal of H.R. 3971 is simple and straightforward: Ensuring independent investigations to improve firefighting safety. I urge Members to support H.R. 3971.

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

The SPEAKER pro tempore (Mr. DAN MILLER of Florida). The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 3971.

The question was taken.

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

Mr. GOODLATTE. 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.

#### GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3971.

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

There was no objection.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 33 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1802

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ISAKSON) at 6:00 o'clock and 2 minutes p.m.

#### NEW RIVER GORGE BOUNDARY ACT OF 2002

The SPEAKER pro tempore. The Chair will now resume proceedings on the question of suspending the rules and passing the bill, H.R. 3858.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CANNON) that the House suspend the rules and pass the bill, H.R. 3858.

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

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The remaining votes on postponed questions will be resumed later this evening.

#### CONGRATULATING NAVY LEAGUE OF UNITED STATES ON ITS CENTENNIAL

Mr. SCHROCK. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 416) congratulating the Navy League of United States on the occasion of the centennial of the organization's founding.

The Clerk read as follows:

H. CON. RES. 416

Whereas the Navy League of the United States was founded in 1902 with the encouragement of President Theodore Roosevelt to serve and support the United States sea services, namely the Navy, Marine Corps, Coast Guard, and Merchant Marine;

Whereas the Navy League has more than 77,000 active members;

Whereas the Navy League is unique among military-oriented associations in that it is a civilian organization dedicated to the education of American citizens and the support of the members of the sea services and their families;

Whereas the Navy League supports active duty members of the sea services through the adoption of naval vessels, installations, and units and the hosting of commissioning ceremonies, award programs, and other recognition programs;

Whereas the Navy League supports America's young people through its youth programs, including sponsorship of the Naval Sea Cadet Corps and the Navy League Scholarship Program, and through its promotion of youth-oriented activities in local communities, such as the Reserve Officers' Training Corps and other recognized youth programs;

Whereas the Navy League is widely respected by citizens, community and industry leaders, and public officials; and

Whereas Navy League programs are welcomed in communities throughout the United States, and members of the Navy League are recognized for their integrity and patriotism: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That the Congress, on the occasion of the centennial of the founding of the Navy League of the United States in 1902, congratulates the Navy League and its members for their role as the foremost civilian organization dedicated to supporting the United States sea services.

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

The Chair recognizes the gentleman from Virginia (Mr. SCHROCK).

#### GENERAL LEAVE

Mr. SCHROCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 416.

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

There was no objection.

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

I rise today to encourage my colleagues to join me in honoring the Navy League of the United States for its 100 years of service to service members, their families and their communities. I recently introduced House Resolution 416 to congratulate the Navy League on its 100th anniversary, its 100th year of service to America. The Navy League of the United States was founded in 1902 with the encouragement of then-President Theodore Roosevelt.

The Navy League is unique among military-oriented associations. It is a civilian organization dedicated to the education of our citizens and the support of the men and women of the sea

services and their families, including the adoption of ships, installations, and units; commissioning ceremonies; award programs; and other recognition programs.

The Navy League works closely with the Navy, Marine Corps, Coast Guard and U.S.-flag Merchant Marines through a network of nearly 78,000 active members and over 330 councils in the United States and around the world. The Navy League is widely respected by citizens, community and industry leaders, and public officials. Navy League programs are welcomed in communities throughout the Nation, and members are recognized for their integrity and patriotism.

For instance, just this morning I met with the leaders of the Navy League in the Second Congressional District of Virginia, which I represent, on plans they have for the commissioning ceremonies of the aircraft carrier USS Ronald Reagan in May of next year. They are expecting over 35,000 people to attend the event. The members of the Hampton Roads Navy League will handle all the events surrounding this monumental ceremony.

This is just one example of the kind of support they provide to America's sea services around the world.

As a retired Navy captain, it is a privilege for me to bring this resolution to the House floor and recognize the Navy League and the outstanding role that it plays to members of our sea services.

I ask Members to join me in thanking the Navy League of the United States for its long-standing service. I encourage all Members to support this resolution.

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

Mrs. DAVIS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Concurrent Resolution 416 introduced by the gentleman from Virginia (Mr. SCHROCK). The resolution congratulates the Navy League of the United States for 100 years of service to this Nation.

Established in 1902, the Navy League and its more than 77,000 active members have been dedicated to educating Americans about the importance of maintaining a strong maritime force and providing support to sea service members and their families.

While the Navy League is a civilian organization, it works closely with the Navy, Marine Corps, Coast Guard and U.S. Merchant Marines through over 330 councils in the United States and around the world. In addition, these services allow the United States to maintain our presence around the world, ensure the freedom of our seas, and promote America's national security interests and global stability.

The Navy League also reaches out to our children through the U.S. Naval Sea Cadet Corps and the Navy League Scholarship Program. The U.S. Naval

Sea Cadet Corps has over 8,500 cadets, ages 11 through 17, that learn seamanship skills, maritime history, customs and traditions. Cadets also learn to build their courage, self-reliance, and confidence, and are offered opportunities to travel and train with Sea Cadets from foreign countries, such as Belgium, Bermuda, Canada, Great Britain, Japan, Sweden and the Netherlands.

The Navy League has provided over \$25,000 in scholarships and awards. The League also provides support for Navy and Marine Corps Junior Reserve Officer Training Corps and Reserve Officer Training Corps units across the United States.

The Navy League councils also support military personnel and their families through "adoption" of ships, installations, and units, commissioning ceremonies, awards and other recognition programs.

Mr. Speaker, as a cosponsor of House Concurrent Resolution 416, I urge my colleagues to support this measure and join in extending heartfelt congratulations to the Navy League and its members on their century of dedication and commitment to our Nation's maritime forces.

Mr. JEFF MILLER of Florida. Mr. Speaker, I rise today in support of H. Con. Res. 416 and congratulate the Navy League of the United States on 100 years of service to Navy communities around the country.

The Navy League, Pensacola Chapter, is one of the largest in the country with 1010 members and growing. It is actively supporting the Navy and the community. Both the Pensacola and Santa Rosa Chapters host annual Sailor of the Year and Flight Instructor of the Year Award Ceremonies. These awards recognize the best of the best from the Navy, Marine Corps, Coast Guard and Air Force active duty that serve on the emerald coast. They also support and co-founded the community's annual military appreciation month, where active and former military members are given special consideration throughout the month. On a recent visit to my district, the Secretary of the Navy, Gordon England, recognized the Pensacola Area Navy Leagues as exemplary and was impressed by the display of support for visiting ship and air-wing crews.

Again, Mr. Speaker, I appreciate my good friend from Virginia, Mr. SCHROCK, for introducing this measure. My community and I are grateful for the Navy League and wish them well in their next 100 years.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCHROCK) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 416.

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

A motion to reconsider was laid on the table.

## DESIGNATING OFFICIAL FLAG OF THE MEDAL OF HONOR

Mr. SCHROCK. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 95) designating an official flag of the Medal of Honor and providing for presentation of that flag to each recipient of that Medal of Honor, as amended.

The Clerk read as follows:

H.J. RES. 95

Whereas the Medal of Honor is the highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Forces of the United States;

Whereas the Medal of Honor was established by Congress during the Civil War to recognize soldiers who had distinguished themselves by gallantry in action;

Whereas the Medal of Honor was conceived by Senator James Grimes of the State of Iowa in 1861; and

Whereas the Medal of Honor is the Nation's highest military honor, awarded for acts of personal bravery or self-sacrifice above and beyond the call of duty: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. DESIGNATION OF MEDAL OF HONOR FLAG.

(a) IN GENERAL.—Chapter 9 of title 36, United States Code, is amended by adding at the end the following new section:

#### “§ 903. Designation of Medal of Honor Flag

“(a) DESIGNATION.—The Secretary of Defense shall design and designate a flag as the Medal of Honor Flag. In selecting the design for the flag, the Secretary shall consider designs submitted by the general public.

“(b) PRESENTATION.—The Medal of Honor Flag shall be presented as specified in sections 3755, 6257, and 8755 of title 10 and section 505 of title 14.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“903. Designation of Medal of Honor Flag.”.

### SEC. 2. PRESENTATION OF FLAG TO MEDAL OF HONOR RECIPIENTS.

(a) ARMY.—(1) Chapter 357 of title 10, United States Code, is amended by adding at the end the following new section:

#### “§ 3755. Medal of honor: presentation of Medal of Honor Flag

“The President shall provide for the presentation of the Medal of Honor Flag designated under section 903 of title 36 to each person to whom a medal of honor is awarded under section 3741 of this title after the date of the enactment of this section. Presentation of the flag shall be made at the same time as the presentation of the medal under section 3741 or 3752(a) of this title.”

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“3755. Medal of honor: presentation of Medal of Honor Flag.”.

(b) NAVY AND MARINE CORPS.—(1) Chapter 567 of such title is amended by adding at the end the following new section:

#### “§ 6257. Medal of honor: presentation of Medal of Honor Flag

“The President shall provide for the presentation of the Medal of Honor Flag designated under section 903 of title 36 to each person to whom a medal of honor is awarded under section 6241 of this title after the date of the enactment of this section. Presentation of the flag shall be made at the same

time as the presentation of the medal under section 6241 or 6250 of this title.”.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“6257. Medal of honor: presentation of Medal of Honor Flag.”.

(c) AIR FORCE.—(1) Chapter 857 of title 10, United States Code, is amended by adding at the end the following new section:

“§8755. Medal of honor: presentation of Medal of Honor Flag

“The President shall provide for the presentation of the Medal of Honor Flag designated under section 903 of title 36 to each person to whom a medal of honor is awarded under section 8741 of this title after the date of the enactment of this section. Presentation of the flag shall be made at the same time as the presentation of the medal under section 8741 or 8752(a) of this title.”.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“8755. Medal of honor: presentation of Medal of Honor Flag.”.

(d) COAST GUARD.—(1) Chapter 13 of title 14, United States Code, is amended by inserting after section 504 the following new section:

“§505. Medal of honor: presentation of Medal of Honor Flag

“The President shall provide for the presentation of the Medal of Honor Flag designated under section 903 of title 36 to each person to whom a medal of honor is awarded under section 491 of this title after the date of the enactment of this section. Presentation of the flag shall be made at the same time as the presentation of the medal under section 491 or 498 of this title.”.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 504 the following new item:

“505. Medal of honor: presentation of Medal of Honor Flag.”.

(e) PRIOR RECIPIENTS.—The President shall provide for the presentation of the Medal of Honor Flag designated under section 903 of title 36, United States Code, as added by section 1(a), to each person awarded the Medal of Honor before the date of the enactment of this resolution who is living as of that date. Such presentation shall be made as expeditiously as possible after the date of the designation of the Medal of Honor Flag by the Secretary of Defense under such section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCHROCK) and the gentlewoman from California (Mrs. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. SCHROCK).

#### GENERAL LEAVE

Mr. SCHROCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. J. Res. 95, the joint resolution under consideration.

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

There was no objection.

Mr. SCHROCK. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. LATHAM).

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

Mr. Speaker, first of all, I would like to inquire, would it be appropriate to

recognize the fact that the designer of this flag, Bill Kendall, from Jefferson, Iowa, is in the gallery?

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman is reminded not to refer to visitors in the gallery.

Mr. LATHAM. Mr. Speaker, then I shall not refer to the fact that he is in the gallery.

Mr. Speaker, the Medal of Honor, the Nation's highest award for bravery, is a true representation of the best in the American spirit. Requiring eyewitness accounts of gallantry, at selfless mortal risk, and so far above the call of duty as to be beyond reproach should such action not have been undertaken, recipients of this award are surely those for whom the Star Spangled Banner was written; these are the people who make our country the Land of the Free and the Home of the Brave. I believe that these worthy individuals are deserving of a significant and continuous public display and believe that a flag is a fitting way to honor our heroes.

As an Iowan, I am proud to continue the tradition of honoring those who have distinguished themselves in battle.

On December 9, 1861, Iowa Senator James W. Grimes introduced S. No. 82 in the United States Senate, a bill designed to promote the efficiency of the Navy by authorizing the production and distribution of medals of honor. On December 21, the bill was passed, authorizing 200 such medals be produced “which shall be bestowed upon such petty officers, seamen, landsmen and marines as shall distinguish themselves by their gallantry in action and other seamanlike qualities during the present war,” referring to the Civil War at that time.

Mr. Speaker, 2 months later on February 17, 1862, Massachusetts Senator Henry Wilson introduced a bill to authorize an Army Medal of Honor. President Lincoln signed the bill on July 14, 1862; and the nonservice specific Medal of Honor was born at that time.

Originally, the Medal of Honor was only to be presented to enlisted men, but on March 3, 1863, this was extended to officers as well.

The last action in which the Medal of Honor was awarded was in Mogadishu, Somalia, on October 3, 1993.

There have been 3,459 Medals of Honor awarded for 3,453 separate acts of heroism performed by 3,439 individuals, including 9 of which were unknown; and today there are 143 living recipients of the Medal of Honor.

Mr. Speaker, I am so proud of Sergeant Bill Kendall for designing this flag. He has worked very, very hard to make sure that these folks who have given so much for our country, many times making the supreme sacrifice for the Nation, are so honored. The intention is to have this flag available for their families, for communities who want to honor Medal of Honor recipients so they can continue to show the

type of respect for these recipients that is so well deserved.

Mr. Speaker, I hope that the House today will move on a unanimous basis to have a flag of honor for the Medal of Honor winners. This design is something that Mr. Kendall came up with. It is, I think, extremely well done. We are very, very proud of Mr. Kendall for all his work on this effort.

Obviously, the Department of Defense may make some changes as to exactly how they believe the final flag should look. But the need for this is real, for the families, for those individuals who are living today that are Medal of Honor winners; and for the communities to show their pride and respect for these individuals is, in fact, proper.

Mr. Speaker, I hope that we can move this bill today.

□ 1815

Mrs. DAVIS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Joint Resolution 95, which would designate an official flag of the Medal of Honor and provide for its presentation to each recipient of the Medal of Honor. The Medal of Honor is our Nation's highest military award for valor that can be bestowed upon an individual serving in the Armed Forces of the United States.

The existence of the Medal of Honor began back in 1861 when Iowa Senator James W. Grimes introduced a bill that authorized the production and distribution of medals of honor to be bestowed upon petty officers, seamen, landsmen and Marines as shall distinguish themselves by their gallantry in action. President Abraham Lincoln signed the bill and the Navy Medal of Honor was born. The next year, 1862, a similar bill for an Army Medal of Honor was introduced and signed into law. The Air Force did not receive its own version of the Medal of Honor until 1965. Until then, Air Force recipients were awarded the Army Medal of Honor.

It was not until 1963 that Congress established guidelines for awarding the Medal of Honor. The medal can only be awarded for action against an enemy of the United States while engaged in military operations involving conflict with an opposing foreign force, or while serving with friendly forces in an armed conflict in which the United States is not a belligerent party.

The first Medal of Honor was presented to Private Jacob Parrott, one of six men who were awarded the medal for their action in the great locomotive chase in April 1862. Since then, there have been 3,458 Medals of Honor awarded for 3,453 separate acts of heroism performed by 3,439 individuals. Nineteen service members have received the Medal of Honor twice.

Mr. Speaker, as thousands of our men and women in uniform continue their efforts in the war against terrorism, it is only fitting that we recognize those

who have performed acts of bravery or self-sacrifice above and beyond the call to duty. An official flag to be presented to our Nation's Medal of Honor recipients is only fitting. I urge my colleagues to support this measure.

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

Mr. SCHROCK. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. MCHUGH).

Mr. MCHUGH. Mr. Speaker, I appreciate the gentleman from Virginia, a very distinguished member of the Committee on Armed Services, yielding time to me. I particularly want to pay my compliments to the gentleman from Iowa (Mr. LATHAM) for advancing this very important initiative.

Mr. Speaker, for the last 2 years now, it has been my honor to serve as the chairman of the Subcommittee on Personnel of the Committee on Armed Services. Our main responsibility on that body is to ensure that we do all that we can to provide for those brave men and women who serve this Nation so valiantly and with no hesitation as members of our armed services. We take that responsibility very, very seriously. This bill was originally under our jurisdiction; but thanks to the gentleman from Iowa's very hard work, we were pleased to waive jurisdiction to do everything we could on that committee, the committee that has primary responsibility for our armed services, so that it could move as expeditiously as possible to the House floor for its consideration here today. I certainly join with those who have spoken here previously in underscoring what I believe, as well, is the importance of this initiative and the very important significance that stands behind it.

I think it is difficult for any of us as Americans to look back on September 11 and to discern much that is positive, but certainly one of the more positive attributes of that has been the reaffirmation in the minds of, I have to believe, every American of the heroes that have served in this Nation's military and who continue to serve today. And no matter which branch of the service they may choose to contribute to, no matter what era they may have served in, as we have learned and been reminded of so very importantly since September 11, these are truly men and women who deserve our respect and who earn our honor in such extraordinary ways.

But amongst all those heroes in our military are those who distinguish themselves to an even higher degree. As we have heard the illustrious history of the Medal of Honor, it is one that I think is reward in itself. Clearly the medal that is presented to those and has been presented to those 3,439 individuals in our Nation's history deserves an even added amount of respect. But for all of the symbolism, for all of the appreciation that lies behind the medal, I think that there is more we can and should do. Certainly the designation of this flag as an official

token, as an official representation in addition to the medal, would be, in my judgment, a very, very fitting action.

I understand the House rules and I will not acknowledge that Sergeant Bill Kendall is in the gallery here today, but I certainly want to extend our appreciation collectively on behalf of the House, if I may be so presumptuous, for taking up this initiative and for the designing of what I certainly look upon as a very, very fitting tribute, one that can add to the honor that we feel toward these very, very special individuals. And as the gentleman from Iowa suggested, I think so correctly, one that can carry forward with their family members, with their descendants, to be displayed in those ways that can signify how a loved one, a family member, someone they knew, contributed above and beyond the call of duty.

It is really a rare opportunity in this House, Mr. Speaker, that we have the chance to do something that on the surface may seem relatively simple, but I think beneath it all carries such great significance. Both as a member of the Committee on Armed Services but more importantly as an American, I think this is a very, very special initiative and like the speakers before, I certainly urge all of our colleagues to join in supporting it and giving it the unanimous approval on the upcoming vote that it deserves.

Mr. Speaker, I thank again the gentleman from Iowa for taking this initiative and for working so hard to make this moment a reality.

Mrs. DAVIS of California. Mr. Speaker, I am honored to be part of this presentation, and I yield back the balance of my time.

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

Mr. Speaker, I rise in strong support of the resolution sponsored by the gentleman from Iowa (Mr. LATHAM). As we continue our struggle against terrorism, my thoughts, and I am certain the thoughts of many Americans, turn to the military men and women on the front lines. Their commitment and courage never fail to inspire me and lift my spirits. America is justifiably proud of the wonderful people serving our Nation in uniform. Among the brave soldiers, sailors, airmen, Marines and Coast Guardsmen who have served over our Nation's history, there is a special group of heroes who have through their selfless deeds and sacrifices demonstrated the highest level of gallantry. I am referring to those members who have been awarded the Congressional Medal of Honor.

Mr. Speaker, the standards for award of the Medal of Honor leave little doubt about the remarkable nature of the heroic acts involved. The heroic deed of the person must be proven by incontrovertible evidence to be so outstanding as to clearly distinguish it as being beyond the call of duty. The heroism must involve the risk of the person's life, and it must be of the type of deed that, if the person had not done it,

would not subject the person to any justified criticism. Only one has to read the citations that accompany the medals to appreciate the incredible devotion to comrades and country that is indicative of each recipient.

This resolution would provide an additional honor to every recipient of the Medal of Honor by creating a Medal of Honor flag to be presented to the recipients. The Medal of Honor flag will also be a symbol to all who see it of the great strength and courage that resides within the American spirit.

Mr. Speaker, today as our Nation faces many difficult days ahead, we need this type of symbol to remind us that even ordinary people are capable of great deeds when freedom is threatened. For these reasons, I am proud to join the gentleman from Iowa in this resolution and urge my colleagues to support its adoption.

Mr. NUSSLE. Mr. Speaker, I would like to offer my voice of support for House Joint Resolution 95, designating an official flag for the Medal of Honor. Since the Civil War, American soldiers who distinguish themselves in defense of our nation have been honored with the Medal of Honor. In fact, it was at the suggestion of Iowa Senator James Grimes, in 1861, that the Medal of Honor was created. All members of our armed forces are patriots, but the 3,458 soldiers who have received this honor have gone far above and beyond the call of duty. In defense of our nation, they have risked or given up their lives, so that so many can live freely as Americans. In this time of war, as the veterans of the future selflessly defend American freedom and values in the far corners of the world, it is appropriate to move a step further to designate a special flag for Medal of Honor recipients. Its simplicity—thirteen white stars on a blue field, just like the medal it accompanies—allows us all to remember the tremendous cost that a small number of soldiers have paid to ensure our freedom.

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

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the motion offered by the gentleman from Virginia (Mr. SCHROCK) that the House suspend the rules and pass the joint resolution, H.J. Res. 95, as amended.

The question was taken.

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

Mr. LATHAM. 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.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on approving the Journal and on motions to suspend the rules on which further proceedings

were postponed earlier today, in the order in which each question was entertained.

Votes will be taken in the following order:

- Approving the Journal, de novo;
- H.R. 3937, by the yeas and nays;
- H.R. 3786, by the yeas and nays;
- H.R. 3971, by the yeas and nays; and
- House Joint Resolution 95, by the yeas and nays.

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

THE JOURNAL

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

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

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

REVOCATION OF PUBLIC LAND ORDER WITH RESPECT TO LANDS ERRONEOUSLY INCLUDED IN CIBOLA NATIONAL WILDLIFE REFUGE, CALIFORNIA

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3937, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CANNON) that the House suspend the rules and pass the bill, H.R. 3937, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 375, nays 0, not voting 59, as follows:

[Roll No. 249]

YEAS—375

- |            |             |               |
|------------|-------------|---------------|
| Ackerman   | Boyd        | Davis (FL)    |
| Aderholt   | Brady (PA)  | Davis (IL)    |
| Akin       | Brady (TX)  | Davis, Jo Ann |
| Allen      | Brown (OH)  | Davis, Tom    |
| Andrews    | Brown (SC)  | Deal          |
| Armey      | Burr        | DeFazio       |
| Baca       | Calvert     | Delahunt      |
| Bachus     | Cannon      | DeLauro       |
| Baird      | Cantor      | DeLay         |
| Baker      | Capito      | DeMint        |
| Baldacci   | Capps       | Deutsch       |
| Baldwin    | Capuano     | Diaz-Balart   |
| Ballenger  | Cardin      | Dicks         |
| Barcia     | Carson (OK) | Dingell       |
| Barr       | Castle      | Doggett       |
| Barrett    | Chabot      | Dooley        |
| Bartlett   | Chambliss   | Doolittle     |
| Barton     | Clay        | Doyle         |
| Bass       | Clayton     | Dreier        |
| Bentsen    | Clyburn     | Duncan        |
| Bereuter   | Coble       | Dunn          |
| Berkley    | Collins     | Edwards       |
| Berman     | Combest     | Ehlers        |
| Berry      | Cooksey     | Ehrlich       |
| Biggert    | Cox         | Emerson       |
| Bilirakis  | Coyne       | Engel         |
| Bishop     | Cramer      | English       |
| Blumenauer | Crane       | Eshoo         |
| Blunt      | Crenshaw    | Etheridge     |
| Boehrlert  | Crowley     | Evans         |
| Bonilla    | Cubin       | Farr          |
| Bono       | Culberson   | Fattah        |
| Boozman    | Cummings    | Ferguson      |
| Boswell    | Cunningham  | Finer         |
| Boucher    | Davis (CA)  | Fletcher      |

- |                |               |               |          |                |            |
|----------------|---------------|---------------|----------|----------------|------------|
| Foley          | Linder        | Roukema       | Everett  | Jefferson      | Pomeroy    |
| Forbes         | Lipinski      | Roybal-Allard | Flake    | Jenkins        | Pryce (OH) |
| Ford           | LoBiondo      | Royce         | Fossella | Jones (OH)     | Riley      |
| Frank          | LoGren        | Rush          | Gordon   | Kilpatrick     | Sanchez    |
| Frelinghuysen  | Lowey         | Ryan (WI)     | Hansen   | Kleczka        | Sanders    |
| Frost          | Lucas (KY)    | Ryun (KS)     | Hayworth | Manzullo       | Simmons    |
| Gallegly       | Lucas (OK)    | Sabo          | Hill     | Meeks (NY)     | Smith (NJ) |
| Ganske         | Luther        | Sandin        | Hilleary | Miller, George | Thurman    |
| Gekas          | Lynch         | Sawyer        | Hilliard | Nadler         | Traficant  |
| Gephardt       | Maloney (CT)  | Saxton        | Hinojosa | Nethercutt     | Velazquez  |
| Gibbons        | Maloney (NY)  | Schaffer      | Honda    | Owens          | Watts (OK) |
| Gilchrest      | Markey        | Schakowsky    | Houghton | Peterson (MN)  | Weiner     |
| Gillmor        | Mascara       | Schiff        | Hyde     | Peterson (PA)  | Wexler     |
| Gilman         | Matheson      | Schrock       | Israel   | Platts         |            |
| Gonzalez       | Matsui        | Scott         |          |                |            |
| Goode          | McCarthy (MO) | Sensenbrenner |          |                |            |
| Goodlatte      | McCarthy (NY) | Serrano       |          |                |            |
| Goss           | McCollum      | Sessions      |          |                |            |
| Graham         | McCrery       | Shadegg       |          |                |            |
| Granger        | McDermott     | Shaw          |          |                |            |
| Graves         | McGovern      | Shays         |          |                |            |
| Green (TX)     | McHugh        | Sherman       |          |                |            |
| Green (WI)     | McInnis       | Sherwood      |          |                |            |
| Greenwood      | McIntyre      | Shimkus       |          |                |            |
| Grucci         | McKeon        | Shows         |          |                |            |
| Gutierrez      | McKinney      | Shuster       |          |                |            |
| Gutknecht      | McNulty       | Simpson       |          |                |            |
| Hall (OH)      | Meehan        | Skeen         |          |                |            |
| Hall (TX)      | Meek (FL)     | Skelton       |          |                |            |
| Harman         | Menendez      | Slaughter     |          |                |            |
| Hart           | Mica          | Smith (MI)    |          |                |            |
| Hastings (FL)  | Millender-    | Smith (TX)    |          |                |            |
| Hastings (WA)  | McDonald      | Smith (WA)    |          |                |            |
| Hayes          | Miller, Dan   | Snyder        |          |                |            |
| Hefley         | Miller, Gary  | Solis         |          |                |            |
| Herger         | Miller, Jeff  | Souder        |          |                |            |
| Hinchey        | Mink          | Spratt        |          |                |            |
| Hobson         | Mollohan      | Stark         |          |                |            |
| Hoeffel        | Moore         | Stearns       |          |                |            |
| Hoekstra       | Moran (KS)    | Stenholm      |          |                |            |
| Holden         | Moran (VA)    | Strickland    |          |                |            |
| Holt           | Morella       | Stump         |          |                |            |
| Hooley         | Murtha        | Stupak        |          |                |            |
| Horn           | Myrick        | Sullivan      |          |                |            |
| Hostettler     | Napolitano    | Sununu        |          |                |            |
| Hoyer          | Ney           | Sweeney       |          |                |            |
| Hulshof        | Northup       | Tancredo      |          |                |            |
| Hunter         | Norwood       | Tanner        |          |                |            |
| Inslee         | Nussle        | Tauscher      |          |                |            |
| Isakson        | Oberstar      | Tauzin        |          |                |            |
| Issa           | Obey          | Taylor (MS)   |          |                |            |
| Istook         | Oliver        | Taylor (NC)   |          |                |            |
| Jackson (IL)   | Ortiz         | Terry         |          |                |            |
| Jackson-Lee    | Osborne       | Thomas        |          |                |            |
| (TX)           | Ose           | Thompson (CA) |          |                |            |
| John           | Otter         | Thompson (MS) |          |                |            |
| Johnson (CT)   | Oxley         | Thornberry    |          |                |            |
| Johnson (IL)   | Pallone       | Thune         |          |                |            |
| Johnson, E. B. | Pascarell     | Tiahrt        |          |                |            |
| Johnson, Sam   | Pastor        | Tiberi        |          |                |            |
| Jones (NC)     | Paul          | Tierney       |          |                |            |
| Kanjorski      | Payne         | Toomey        |          |                |            |
| Kaptur         | Pelosi        | Towns         |          |                |            |
| Keller         | Pence         | Turner        |          |                |            |
| Kelly          | Petri         | Udall (CO)    |          |                |            |
| Kennedy (MN)   | Phelps        | Udall (NM)    |          |                |            |
| Kennedy (RI)   | Pickering     | Upton         |          |                |            |
| Kerns          | Pitts         | Visclosky     |          |                |            |
| Kildee         | Pombo         | Vitter        |          |                |            |
| Kind (WI)      | Portman       | Walden        |          |                |            |
| King (NY)      | Price (NC)    | Walsh         |          |                |            |
| Kingston       | Putnam        | Wamp          |          |                |            |
| Kirk           | Quinn         | Waters        |          |                |            |
| Knollenberg    | Kolbe         | Watkins (OK)  |          |                |            |
| Kucinich       | Rahall        | Watson (CA)   |          |                |            |
| LaFalce        | Ramstad       | Watt (NC)     |          |                |            |
| LaHood         | Rangel        | Waxman        |          |                |            |
| Lampson        | Regula        | Weldon (FL)   |          |                |            |
| Langevin       | Rehberg       | Weldon (PA)   |          |                |            |
| Lantos         | Reyes         | Weller        |          |                |            |
| Larsen (WA)    | Reynolds      | Whitfield     |          |                |            |
| Larson (CT)    | Rivers        | Wicker        |          |                |            |
| Latham         | Rodriguez     | Wilson (NM)   |          |                |            |
| LaTourette     | Roemer        | Wilson (SC)   |          |                |            |
| Leach          | Rogers (KY)   | Wolf          |          |                |            |
| Lee            | Rogers (MI)   | Woolsey       |          |                |            |
| Levin          | Rohrabacher   | Wu            |          |                |            |
| Lewis (CA)     | Ros-Lehtinen  | Wynn          |          |                |            |
| Lewis (GA)     | Ross          | Young (AK)    |          |                |            |
| Lewis (KY)     | Rothman       | Young (FL)    |          |                |            |

NOT VOTING—59

- |             |            |             |
|-------------|------------|-------------|
| Abercrombie | Brown (FL) | Carson (IN) |
| Becerra     | Bryant     | Clement     |
| Blagojevich | Burton     | Condit      |
| Boehner     | Buyer      | Conyers     |
| Bonior      | Callahan   | Costello    |
| Borski      | Camp       | DeGette     |

- |          |                |            |
|----------|----------------|------------|
| Everett  | Jefferson      | Pomeroy    |
| Flake    | Jenkins        | Pryce (OH) |
| Fossella | Jones (OH)     | Riley      |
| Gordon   | Kilpatrick     | Sanchez    |
| Hansen   | Kleczka        | Sanders    |
| Hayworth | Manzullo       | Simmons    |
| Hill     | Meeks (NY)     | Smith (NJ) |
| Hilleary | Miller, George | Thurman    |
| Hilliard | Nadler         | Traficant  |
| Hinojosa | Nethercutt     | Velazquez  |
| Honda    | Owens          | Watts (OK) |
| Houghton | Peterson (MN)  | Weiner     |
| Hyde     | Peterson (PA)  | Wexler     |
| Israel   | Platts         |            |

□ 1850

Ms. KAPTUR changed her vote from "nay" to "yea."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

GLEN CANYON NATIONAL RECREATION AREA BOUNDARY REVISION ACT OF 2002

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3786, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CANNON) that the House suspend the rules and pass the bill, H.R. 3786, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 374, nays 0, not voting 60, as follows:

[Roll No. 250]

YEAS—374

- |            |             |               |
|------------|-------------|---------------|
| Ackerman   | Blunt       | Collins       |
| Aderholt   | Boehrlert   | Combest       |
| Akin       | Bonilla     | Cooksey       |
| Allen      | Bono        | Cox           |
| Andrews    | Boozman     | Coyne         |
| Armey      | Boswell     | Cramer        |
| Baca       | Boucher     | Crane         |
| Bachus     | Boyd        | Crenshaw      |
| Baird      | Brady (PA)  | Crowley       |
| Baker      | Brady (TX)  | Cubin         |
| Baldacci   | Brown (OH)  | Culberson     |
| Baldwin    | Brown (SC)  | Cummings      |
| Ballenger  | Burr        | Cunningham    |
| Barcia     | Calvert     | Davis (CA)    |
| Barr       | Cannon      | Davis (FL)    |
| Barrett    | Cantor      | Davis (IL)    |
| Bartlett   | Capito      | Davis, Jo Ann |
| Barton     | Capps       | Davis, Tom    |
| Bass       | Capuano     | Deal          |
| Bentsen    | Cardin      | DeFazio       |
| Bereuter   | Carson (OK) | Delahunt      |
| Berkley    | Castle      | DeLauro       |
| Berman     | Chabot      | DeLay         |
| Berry      | Chambliss   | DeMint        |
| Biggert    | Clay        | Deutsch       |
| Bilirakis  | Clayton     | Diaz-Balart   |
| Bishop     | Clyburn     | Dicks         |
| Blumenauer | Coble       | Dingell       |

Doggett	Lampson	Rogers (MI)		NOT VOTING—60	Doyle	Langevin	Rohrabacher
Dooley	Langevin	Rohrabacher			Dreier	Lantos	Ros-Lehtinen
Doolittle	Lantos	Ros-Lehtinen	Abercrombie	Fossella	Duncan	Larsen (WA)	Ross
Doyle	Larsen (WA)	Ross	Becerra	Gordon	Dunn	Larson (CT)	Rothman
Dreier	Larson (CT)	Rothman	Blagojevich	Hansen	Edwards	Latham	Roukema
Duncan	Latham	Roukema	Boehner	Hayworth	Ehlers	LaTourette	Roybal-Allard
Dunn	LaTourette	Roybal-Allard	Boniior	Hill	Ehrlich	Leach	Royce
Edwards	Leach	Royce	Borski	Hilleary	Emerson	Lee	Rush
Ehlers	Lee	Ryan (WI)	Brown (FL)	Hilliard	Engel	Levin	Ryan (WI)
Ehrlich	Levin	Ryun (KS)	Bryant	Hinojosa	English	Lewis (CA)	Ryan (KS)
Emerson	Lewis (CA)	Sabo	Burton	Honda	Eshoo	Lewis (GA)	Sabo
Engel	Lewis (GA)	Sandlin	Buyer	Houghton	Etheridge	Lewis (KY)	Sandlin
English	Lewis (KY)	Sawyer	Callahan	Hyde	Evans	Linder	Sawyer
Eshoo	Linder	Saxton	Camp	Israel	Farr	Lipinski	Saxton
Etheridge	Lipinski	Schaffer	Carson (IN)	Jefferson	Fattah	LoBiondo	Schaffer
Evans	LoBiondo	Schakowsky	Clement	Jenkins	Ferguson	Lofgren	Schakowsky
Farr	Lofgren	Schiff	Condit	Johnson (IL)	Filner	Lowey	Schiff
Fattah	Lowey	Schrook	Conyers	Jones (OH)	Fletcher	Lucas (KY)	Schrook
Ferguson	Lucas (KY)	Scott	Costello	Kilpatrick	Foley	Lucas (OK)	Scott
Filner	Lucas (OK)	Sensenbrenner	DeGette	Kleczka	Forbes	Luther	Sensenbrenner
Fletcher	Luther	Serrano	Everett	Manzullo	Ford	Lynch	Serrano
Foley	Lynch	Sessions	Flake	McCrery	Frank	Maloney (CT)	Sessions
Forbes	Maloney (CT)	Shadegg			Frelinghuysen	Maloney (NY)	Shadegg
Ford	Maloney (NY)	Shaw	□ 1859		Frost	Markey	Shaw
Frank	Markey	Shays	So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.		Gallegly	Mascara	Shays
Frelinghuysen	Mascara	Sherman	The result of the vote was announced as above recorded.		Ganske	Matheson	Sherman
Frost	Matheson	Sherwood	A motion to reconsider was laid on the table.		Gekas	Matsui	Sherwood
Gallegly	Matsui	Shimkus	Stated for:		Gephardt	McCarthy (MO)	Shimkus
Ganske	McCarthy (MO)	Shows	Mr. JOHNSON of Illinois. Mr. Speaker, on rollcall No. 250 I was inadvertently detained. Had I been present, I would have voted "yea."		Gibbons	McCarthy (NY)	Shows
Gekas	McCarthy (NY)	Shuster			Gilchrest	McCollum	Shuster
Gephardt	McCollum	Simpson			Gillmor	McCrery	Simpson
Gibbons	McDermott	Skeen			Gilman	McDermott	Skeen
Gilchrest	McGovern	Skelton			Gonzalez	McGovern	Skelton
Gillmor	McGovern	Slaughter			Goode	McHugh	Slaughter
Gilman	McHugh	Smith (MI)			Goodlatte	McInnis	Smith (MI)
Gonzalez	McInnis	Smith (NJ)			Goss	McIntyre	Smith (NJ)
Goode	McIntyre	Smith (TX)			Graham	McKeon	Smith (TX)
Goodlatte	McKeon	Smith (WA)			Granger	McKinney	Smith (WA)
Goss	McKinney	Snyder			Graves	McNulty	Snyder
Graham	McNulty	Solis			Green (TX)	Meehan	Solis
Granger	Meehan	Souder			Green (WI)	Meek (FL)	Souder
Graves	Meek (FL)	Spratt			Greenwood	Menendez	Spratt
Menendez	Spratt	Stark	PROVIDING FOR INDEPENDENT INVESTIGATION OF FOREST SERVICE FIREFIGHTER DEATHS CAUSED BY WILDFIRE ENTRAPMENT OR BURNOVER		Grucci	Menendez	Spratt
Green (TX)	Mica	Stearns	The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3971.		Gutierrez	Miller, Dan	Stearns
Green (WI)	Millender-	Stenholm	The Clerk read the title of the bill.		Gutknecht	Miller, Gary	Stenholm
Greenwood	McDonald	Strickland	The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 3971, on which the yeas and nays are ordered.		Hall (OH)	Miller, Jeff	Strickland
Grucci	Miller, Dan	Stump	This is a 5-minute vote.		Hall (TX)	Mink	Stump
Gutierrez	Miller, Gary	Stupak	The vote was taken by electronic device, and there were—yeas 377, nays 0, not voting 57, as follows:		Harman	Mollohan	Stupak
Gutknecht	Miller, Jeff	Sullivan	[Roll No. 251]		Hart	Moore	Sullivan
Hall (OH)	Mink	Sununu	YEAS—377		Hastings (FL)	Moran (KS)	Sununu
Hall (TX)	Mollohan	Sweeney			Hastings (WA)	Moran (VA)	Sweeney
Harman	Moore	Tancredo			Hayes	Morella	Tancredo
Hart	Moran (KS)	Tanner			Hefley	Murtha	Tanner
Hastings (FL)	Moran (VA)	Tauscher			Herger	Myrick	Tauscher
Hastings (WA)	Morella	Tauzin			Hinchev	Napolitano	Tauzin
Hayes	Murtha	Taylor (MS)			Hobson	Neal	Taylor (MS)
Hefley	Myrick	Taylor (NC)			Hoefel	Ney	Taylor (NC)
Herger	Napolitano	Terry			Hoekstra	Northup	Terry
Hinchev	Neal	Thomas			Holden	Norwood	Thomas
Hobson	Ney	Thompson (CA)			Holt	Nussle	Thompson (CA)
Hoefel	Northup	Thompson (MS)			Hooley	Oberstar	Thompson (MS)
Hoekstra	Norwood	Thornberry			Horn	Obey	Thornberry
Holden	Nussle	Thune			Hostettler	Oliver	Thune
Holt	Oberstar	Thurman			Hoyer	Ortiz	Thurman
Hooley	Obey	Tiahrt			Hulshof	Osborne	Tiahrt
Horn	Oliver	Tiberi			Hunter	Ose	Tiberi
Hostettler	Ortiz	Tierney			Inslee	Otter	Tierney
Hoyer	Osborne	Toomey			Isakson	Oxley	Toomey
Hulshof	Ose	Towns			Issa	Pallone	Towns
Hunter	Otter	Turner			Istook	Pascarell	Turner
Inslee	Oxley	Udall (CO)			Jackson (IL)	Pastor	Udall (CO)
Isakson	Pallone	Udall (NM)	Ackerman	Boehlert	Jackson-Lee	Paul	Udall (NM)
Issa	Pascarell	Upton	Aderholt	Boniilla	(TX)	Payne	Upton
Istook	Pastor	Velazquez	Allen	Bono	John	Pelosi	Velazquez
Jackson (IL)	Paul	Visclosky	Andrews	Boozman	Johnson (CT)	Pence	Visclosky
Jackson-Lee	Payne	Vitter	Armey	Boswell	Johnson (IL)	Petri	Vitter
(TX)	Pelosi	Walden	Arney	Boucher	Johnson, E. B.	Phelps	Walden
John	Pence	Walsh	Baca	Boyd	Johnson, Sam	Pickering	Walsh
Johnson (CT)	Petri	Wamp	Bachus	Brady (PA)	Jones (NC)	Pitts	Wamp
Johnson, E. B.	Phelps	Watkins (OK)	Baird	Brady (TX)	Kanjorski	Platts	Watkins (OK)
Johnson, Sam	Pickering	Watson (CA)	Baker	Brown (OH)	Kaptur	Pombo	Watson (CA)
Jones (NC)	Pitts	Watt (NC)	Baldacci	Brown (SC)	Keller	Portman	Watson (CA)
Kanjorski	Platts	Waxman	Baldwin	Burr	Kelly	Price (NC)	Watt (NC)
Kaptur	Pombo	Weldon (FL)	Ballenger	Calvert	Kennedy (MN)	Putnam	Waxman
Keller	Portman	Weldon (PA)	Barcia	Cannon	Kennedy (RI)	Quinn	Weldon (FL)
Kelly	Price (NC)	Weller	Barr	Cantor	Kerns	Radanovich	Weldon (PA)
Kennedy (MN)	Putnam	Whitfield	Barrett	Capito	Kildee	Rahall	Weller
Kennedy (RI)	Quinn	Wicker	Bartlett	Capps	Kind (WI)	Ramstad	Whitfield
Kerns	Radanovich	Wilson (NM)	Barton	Capuano	King (NY)	Regula	Whitfield
Kildee	Rahall	Wilson (SC)	Bass	Cardin	Kingston	Rehberg	Wicker
Kind (WI)	Ramstad	Wolf	Bentsen	Carson (OK)	Kirk	Reyes	Wilson (NM)
King (NY)	Rangel	Woolsey	Bereuter	Castle	Knollenberg	Reynolds	Wilson (SC)
Kingston	Regula	Wu	Berkley	Chabot	Kolbe	Rivers	Wilson (SC)
Kirk	Rehberg	Wynn	Berman	Chambliss	Kucinich	Rogers (KY)	Wilson (SC)
Knollenberg	Rehberg	Young (AK)	Berry	Clay	Kolbe	Rogers (MI)	Wilson (SC)
Kolbe	Reyes	Young (FL)	Biggart	Clayton	Roemer	Rogers (MI)	Wilson (SC)
Kucinich	Reynolds		Bilirakis	Clyburn	Rogers (KY)		Wilson (SC)
LaFalce	Rodriguez		Bishop	Coble	Young (FL)		Wilson (SC)
LaHood	Roemer		Blumenauer	Collins			Wilson (SC)
	Rogers (KY)		Blunt	Combest			Wilson (SC)

NOT VOTING—57

Abercrombie Fossella Millender-  
 Becerra Gordon McDonald  
 Blagojevich Hansen Miller, George  
 Boehner Hayworth Nadler  
 Bonior Hill Nethercutt  
 Borski Hillery Owens  
 Brown (FL) Hilliard Peterson (MN)  
 Bryant Hinojosa Peterson (PA)  
 Burton Honda Pomeroy  
 Buyer Houghton Pryce (OH)  
 Callahan Hyde Rangel  
 Camp Riley  
 Carson (IN) Israel Sanchez  
 Clement Jefferson Sanders  
 Condit Jenkins Simmons  
 Conyers Jones (OH) Traficant  
 Costello Kilpatrick Watts (OK)  
 DeGette Kleczka Weiner  
 Everett Manzullo Wexler  
 Flake Meeks (NY)

□ 1907

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1915

Stated for:

Ms. MILLENDER-McDONALD. Mr. Speaker, on rollcall 251, I was detained by an emergency telephone call. Had I been here, I would have voted yea.

DESIGNATING OFFICIAL FLAG OF THE MEDAL OF HONOR

The SPEAKER pro tempore (Mr. ISAKSON). The pending business is the question of suspending the rules and passing the joint resolution, H.J. Res. 95, as amended.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCHROCK) that the House suspend the rules and pass the joint resolution, H.J. Res. 95, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 380, nays 0, not voting 54, as follows:

[Roll No. 252]

YEAS—380

Ackerman Bishop Chambliss  
 Aderholt Blumenauer Clay  
 Akin Blunt Clayton  
 Allen Boehlert Clyburn  
 Andrews Bonilla Coble  
 Arney Bono Collins  
 Baca Boozman Combest  
 Bachus Boswell Cooksey  
 Baird Boucher Cox  
 Baker Boyd Coyne  
 Baldacci Brady (PA) Cramer  
 Baldwin Brady (TX) Crane  
 Ballenger Brown (OH) Crenshaw  
 Barcia Brown (SC) Crowley  
 Barr Burr Cubin  
 Barrett Burton Culberson  
 Bartlett Calvert Cummings  
 Barton Cannon Cunningham  
 Bass Cantor Davis (CA)  
 Bentsen Capito Davis (FL)  
 Bereuter Capps Davis (IL)  
 Berkley Capuano Davis, Jo Ann  
 Berman Cardin Davis, Tom  
 Berry Carson (OK) Deal  
 Biggert Castle DeFazio  
 Bilirakis Chabot Delahunt

DeLauro King (NY) Rangel Wilson (SC) Wu Young (FL)  
 DeLay Kingston Regula Wolf Wynn  
 DeMint Kirk Rehberg Woolsey Young (AK)  
 Deutsch Knollenberg Reyes  
 Diaz-Balart Kolbe Reynolds  
 Dicks Kucinich Rivers Abercrombie  
 Dingell LaFalce Rodriguez Flake  
 Doggett LaHood Roemer Fossella  
 Dooley Lampson Rogers (KY) Gordon Miller, George  
 Doolittle Langevin Rogers (MI) Nadler  
 Doyle Lantos Rohrabacher Nethercutt  
 Dreier Larsen (WA) Ros-Lehtinen Owens  
 Duncan Larson (CT) Ross Brown (FL) Hilliard  
 Dunn Latham Rothman Bryant Hinojosa Pomeroy  
 Edwards Roybal-Allard Royce Buyer Honda Pryce (OH)  
 Ehlers LaTourette Ryan (WI) Callahan Houghton Riley  
 Ehrlich Lee Rush Ryan (KS) Camp Hyde Roukema  
 Emerson Levin Sabo Sandlin Carson (IN) Israel Sanchez  
 Engel Lewis (CA) Sawyer Sandlin Clement Jefferson Sanders  
 English Lewis (GA) Saxton Condit Jenkins Simmons  
 Eshoo Lewis (KY) Schaffer Conyers Jones (OH) Traficant  
 Etheridge Linder Schaffner Costello Kilpatrick Watts (OK)  
 Evans Lipinski LoBiondo Everett Manzullo Wexler  
 Farr Lofgren Schakowsky  
 Fattah Lofgren Schiff  
 Ferguson Lowey Schiff  
 Filner Lucas (KY) Schrock  
 Fletcher Lucas (OK) Scott  
 Foley Luther Sensenbrenner  
 Forbes Lynch Serrano  
 Ford Maloney (CT) Sessions  
 Frank Maloney (NY) Shadegg  
 Frelinghuysen Markey Shaw  
 Frost Mascara Shays  
 Gallegly Matheson Sherman  
 Ganske Matsui Sherwood  
 Gekas McCarthy (MO) Shimkus  
 Gephardt McCarthy (NY) Shows  
 Gibbons McCollum Shuster  
 Gilchrest McCrery Simpson  
 Gillmor McDermott Skeen  
 Gilman McGovern Skelton  
 Gonzalez McHugh Slaughter  
 Goode McInnis Smith (MI)  
 Goodlatte McIntyre Smith (NJ)  
 Goss McKeon Smith (TX)  
 Graham McKinney Smith (WA)  
 Granger McNulty Snyder  
 Graves Meehan Solis  
 Green (TX) MEEK (FL) Souder  
 Green (WI) Menendez Spratt  
 Greenwood Mica Stark  
 Grucci Millender- Stearns  
 Gutierrez McDonald Stenholm  
 Gutknecht Miller, Dan Strickland  
 Hall (OH) Miller, Gary Stump  
 Hall (TX) Miller, Jeff Stupak  
 Harman Mink Sullivan  
 Hart Mollohan Sununu  
 Hastings (FL) Moore Sweeney  
 Hastings (WA) Moran (KS) Tancredo  
 Hayes Moran (VA) Tanner  
 Hefley Morella Tauscher  
 Herger Murtha Tauzin  
 Hill Myrick Taylor (MS)  
 Hinchey Napolitano Taylor (NC)  
 Hobson Neal Terry  
 Hoefel Ney Thomas  
 Hoekstra Northup Thompson (CA)  
 Holden Norwood Thompson (MS)  
 Holt Nussle Thornberry  
 Hooley Oberstar Thune  
 Horn Obey Thurman  
 Hostettler Olver Tiahrt  
 Hoyer Ortiz Tiberi  
 Hulshof Osborne Tierney  
 Hunter Ose Toomey  
 Inslee Otter Towns  
 Isakson Oxley Turner  
 Issa Pallone Udall (CO)  
 Istook Pascrell Udall (NM)  
 Jackson (IL) Pastor Upton  
 Jackson-Lee Paul Velazquez  
 (TX) Payne Visclosky  
 John Pelosi Vitter  
 Johnson (CT) Pence Walden  
 Johnson (IL) Petri Walsh  
 Johnson, E. B. Phelps Wamp  
 Johnson, Sam Pickering Waters  
 Jones (NC) Pitts Watkins (OK)  
 Kanjorski Platts Watson (CA)  
 Kaptur Pombo Watt (NC)  
 Keller Portman Waxman  
 Kelly Price (NC) Weldon (FL)  
 Kennedy (MN) Putnam Weldon (PA)  
 Kennedy (RI) Quinn Weller  
 Kerns Radanovich Whitfield  
 Kildee Rahall Wicker  
 Kind (WI) Ramstad Wilson (NM)

NOT VOTING—54

Abercrombie Flake Meeks (NY)  
 Becerra Fossella Miller, George  
 Blagojevich Gordon Nadler  
 Boehner Hansen Nethercutt  
 Bonior Hayworth Owens  
 Borski Hillery Peterson (MN)  
 Brown (FL) Hilliard Peterson (PA)  
 Bryant Hinojosa Pomeroy  
 Buyer Honda Pryce (OH)  
 Callahan Houghton Riley  
 Camp Hyde Roukema  
 Carson (IN) Israel Sanchez  
 Clement Jefferson Sanders  
 Condit Jenkins Simmons  
 Conyers Jones (OH) Traficant  
 Costello Kilpatrick Watts (OK)  
 DeGette Kleczka Weiner  
 Everett Manzullo Wexler

□ 1916

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

The result of the vote was announced as above recorded.

The title of the joint resolution was amended so as to read: "Joint resolution providing for the designation of a Medal of Honor Flag and for presentation of that flag to recipients of the Medal of Honor."

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. WATTS of Oklahoma. Mr. Speaker, I was unavoidably detained in my district and missed recorded Votes on Monday, June 24, 2002. I would like the RECORD to reflect that, had I been present, I would have cast the following votes: On passage of H.R. 3937, I would have voted "yea"; on passage of H.R. 3786, I would have voted "yea"; on passage of H.R. 3971, I would have voted "yea"; on agreeing to H.J. Res. 95, I would have voted "yea."

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, personal business prevents me from being present for legislative business scheduled for today, Monday, June 24, 2002. Had I been present, I would have voted "yea" on the following rollcall votes: H.R. 3937, to revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge in California (rollcall No. 249); H.R. 3786, Glen Canyon National Recreation Area Boundary Revision Act (rollcall No. 250); H.R. 3971, Providing for an investigation of Forest Service firefighter deaths that are caused by wildlife entrapment or burnover (rollcall No. 251); and H.J. Res. 95, Designating the official flag of the Medal of Honor and providing for presentation of that flag to each recipient to the medal of honor (rollcall No. 252).

PERSONAL EXPLANATION

Ms. SANCHEZ. Mr. Speaker, on Monday, June 24, I was unavoidably detained due to a prior obligation at the American Federation of State, Municipal, and County Employees' (AFSME) National Labor Convention.

I request that the CONGRESSIONAL RECORD reflect that had I been present and voting, I would have voted "yea" on rollcall No. 249, "yea" on rollcall No. 250, "yea" on rollcall No. 251, and "yea" on rollcall No. 252.

#### APPOINTMENT AS MEMBER OF BOARD OF DIRECTORS OF NATIONAL URBAN AIR TOXIC RESEARCH CENTER

The SPEAKER pro tempore (Mr. ISAKSON). Without objection, and pursuant to section 112 of the Clean Air Act (42 U.S.C. 7412) the Chair announces the Speaker's appointment of the following member on the part of the House to the board of directors of the National Urban Air Toxic Research Center to fill the existing vacancy thereon:

Dr. Arthur C. Vailas, Houston, Texas.  
There was no objection.

#### PERSONAL EXPLANATION

Mr. CROWLEY. Mr. Speaker, on Monday, June 17, I was absent for three rollcall votes. If I had been here, I would have voted yes on rollcall vote 230, yes on rollcall vote 231 and yes on rollcall vote 232.

#### 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 Indiana (Mr. HILL) is recognized for 5 minutes.

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

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

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

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

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

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

woman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### TRIBUTE TO JIM TURNER

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

Mr. KELLER. Mr. Speaker, I rise this afternoon to salute one of the most beloved and valuable citizens in central Florida, Mr. Jim Turner, who is marking 30 years on the job this summer.

It is not just any job. Jim Turner is the morning show host on AM 580 WDBO in Orlando, one of central Florida's most important radio stations. When severe weather hits, when natural disasters strike, when terrorism comes home, the people of my district tune into Jim Turner.

Cinderella's castle at Walt Disney World was still considered a new home when Jim moved to Orlando back in 1972. WDBO offered him the big money the work at their radio station, \$200 a week.

One of the funniest stories about Jim's tenure behind the microphone was told to me by his friends on WDBO's morning show, "Officer Jim" Bishop and Kirk Healy.

Years ago, Jim Turner wanted to be the first person to wish former Orlando Mayor Bill Frederick a happy birthday. So at 6:30 in the morning, he dialed the mayor's house and got into an argument with Mayor Frederick's wife, who refused to wake up the mayor. As rumor has it, City Hall received numerous calls that morning wondering why the mayor's wife was so obstinate with Jim. Well, the joke was on the mayor. Jim had actually called his own home and had set up the whole bit with his wife, who impersonated Orlando's first lady.

Nearly 30 years and 8,000 radio shows later, Jim is still doing what he does best, giving Orlando area listeners breaking news in a humorous and objective manner. His alarm clock still goes off at 2:30 in the morning. He still rolls into work by 4 a.m. Mr. Speaker, I would like to see how efficient Congress would work if we were required to start our business every day at 4 a.m., but I digress.

Having been a guest of his on his program so many times, the greatest thing about Jim is the fact that his on-air personality is identical to the guy he is off the air. There is not an ounce of pretentiousness, only professionalism.

When asked to reflect on his 30 years in the business, Jim recently said, "You meet people and you realize they depend on you to find out what's going on. There's an obligation to make sure the facts are right, to present often-complicated things in an understandable fashion."

All of my colleagues should be so fortunate to have a man of Jim Turner's skill and character waking up the people of their districts with such a blend of information and humor.

I wish Jim Turner a happy 30th anniversary at WDBO. I know I speak for all of central Florida when I say how much we look forward to the next 30 years.

#### TRIBUTE TO VOLUNTEER CRIME FIGHTERS WITH CITRUS COUNTY SHERIFF'S OFFICE

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

Mrs. THURMAN. Mr. Speaker, tonight I would like to do a tribute to our volunteer crime fighters within the Citrus County Sheriff's Office under the leadership of Sheriff Jeffrey Dawsy.

The Citrus County Sheriff's Office has one of the largest and most successful volunteer programs in the Nation. There are over 1,100 volunteers working in just about every area of the Sheriff's Office. The county has volunteers driving in mobile crime watch units helping to keep the streets safe. The program includes volunteer bailiffs working the courts, volunteer dispatchers in the communications center, volunteer receptionists at community offices, as well as volunteers who fingerprint, assist in clerical duties and review pawnshop information.

Stanley Wishin of Inverness has been working at the Floral City Elementary School through the GRAMPA program for the past five years. GRAMPA stands for Getting Retirees Actively Motivated to Policing Again. Prior to his volunteer work, Mr. Wishin served for 21 years as a police officer in New York City. He retired from duty and moved down to Florida with intentions of settling down, but he just could not stay away from community service. He quickly signed on at the Broward County Sheriff's Office for another 16 years of law enforcement service. Since his retirement, he has been actively involved with the Citrus County volunteer program, and he says he loves every minute of it.

The GRAMPA program is a chance to put older and more experienced people directly in touch with the youth. Some of our most effective police officers are being lost in their prime to retirement. Mr. Wishin probably said it best when he said, "You train them, you have them for 25 years, and all of the sudden, you lose them. In my eyes that's wrong because you never let a good man go." The GRAMPA program is an excellent way to get our most experienced officers back into public service.

Citizen volunteers work in every aspect of the Citrus County Sheriff's Office. James Karibo, for example, has been volunteering with the Sheriff's Office for the past 4 years, working in various aspects of policing. Mr. Karibo drives for the citizens patrol and volunteers as a public service aid. He, and

many others like him, take over some of the more mundane duties to free up deputies for other work. Mr. Karibo visits the elderly, works on crime investigations, helps with traffic patrols and minor accidents as well as other activities.

The Citrus County Sheriff's Office has a very active Citizens' Academy program which allows ordinary citizens to learn more about the inner workings of the sheriff's department and feeds into their volunteer program. According to Sheriff Dawsy, "The concept of the Citizens' Academy involves opening up the Sheriff's Office to the public and showing citizens exactly what we do and how we do it." As a result, graduates of the 10-week course are better equipped to assess safety issues and share with others their knowledge of law enforcement practices and policies.

Given Sheriff Dawsy's commitment to the philosophy of community-oriented policing and proactive problem solving, he says he sees the Citizens' Academy as an effective way of bringing law enforcement and the public together in an informal, educational forum.

The benefits of such a partnership can only strengthen the entire community in terms of public safety and quality of life. Last year alone, volunteers clocked in over 90,000 hours working for the betterment of the community. Volunteers drove 561,000 miles, made more than 44,000 house checks and assisted more than 3,400 citizens at community offices.

Sheriff Dawsy and the Citrus County Sheriff's Office volunteers program have been an outstanding service to our community, and I would like to thank them all for their efforts. Their program is a model for others to follow, and I am honored to stand here and recognize them today. Congratulations to all of them on a job well done.

#### PRESCRIPTION DRUG BENEFIT

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

Mr. BROWN of Ohio. Mr. Speaker, early Friday morning, under cover of night, the Republican plan to create a Medicare prescription drug benefit was forced through the Committee on Energy and Commerce on strict party lines.

The prescription drug proposal made by the Republican leadership in Congress is so farfetched and so inadequate that it is an insult to the seniors it alleges to help. This legislation calls for private insurance companies to deliver drug coverage, and the coverage is minimal.

We sought to improve the bill, but our efforts were stymied by a coalition of the Republican leadership and their corporate sponsors, the brand name drug industry.

Democrats insist that any prescription drug plan for seniors should be ad-

ministered through Medicare, the program seniors know and trust. We have insisted the benefits be at least as generous as the coverage enjoyed by Members of Congress, and we sought to lower drug prices, ending drug industry patent abuses and enhancing competition in the prescription drug marketplace.

The need for a prescription drug benefit under Medicare is undisputed. Twelve million American seniors lack any form of drug coverage. This situation is made worse by the fact that American seniors and others without drug coverage pay the highest prices in the world for their prescriptions.

This is not the first time Republicans have attempted to capitalize on the need of America's seniors for a drug benefit but is the most blatant. Republican after Republican will come to the House floor in the next 3 days, saying seniors deserve a drug benefit as good as Members of Congress have. Unfortunately, though, according to the non-partisan Congressional Research Service, the Republican plan is 40 percent less than the coverage offered to Members of Congress.

During last week's markup, I offered an amendment that would replace the standard coverage in the Republican bill with the same coverage offered to Members of Congress.

□ 1930

But the night before the amendment was offered, Republicans adjourned the committee markup early so that they could attend a \$30 million fundraising dinner underwritten by Glaxo-Wellcome, a British pharmaceutical company which gave \$250,000 that night to the Republican Party. When Republicans returned from that fundraiser in which the drug companies gave well over a million dollars in total, when they returned from that fundraiser the next day, it came as no surprise that Republican colleagues voted my amendment down, meaning that the House will be forced to vote this week on legislation that would provide seniors with a significantly less drug benefit than Members of the Congress. In other words, Republicans are going to give Members of Congress a much better drug benefit than seniors will enjoy.

The Republican bill is not designed to ensure that seniors and disabled Americans gain access to drug coverage. It is designed to ensure that seniors and disabled Americans lose access to what they want to do, which is privatize Medicare. Unless the goal is to phase out Medicare and phase in an insurance voucher system, it makes no sense to maintain a public program for medical and surgical benefits but for seniors to purchase private coverage for prescription drug benefits. If this bill is not about privatizing Medicare, if it is actually meant to provide seniors real drug coverage, why is there a hole in the plan's coverage? Why do the benefits decline as an enrollee's drug

costs go up? Insurance is supposed to protect individuals with high health care costs, not to desert them. So why this kind of Republican plan that serves the insurance interests and drug company interests but not seniors?

On May 8 the United Seniors Association, a group funded by the prescription drug industry, announced it would begin a \$3 million television ad campaign touting the GOP drug prescription drug plan. Guess who is paying for the media blitz? The Pharmaceutical Research and Manufacturers of America are paying for the media blitz, a trade group representing major drug companies. In other words, the drug industry is using dollars they gouge from American consumers to advertise the Republican drug bill.

What should that say? Would they advertise a bill they thought would be hard on the drug companies and drive a hard bargain with America's drug companies? Drug companies do not like the Democrats' bill because we harness the collective purchasing power of 40 million Medicare beneficiaries to demand discounts, volume discounts, to demand fair prices. Our bill gives seniors good coverage, real coverage, reliable coverage just like Medicare, plus we are tough on the drug companies. Glaxo-Wellcome, the company that sponsored the major Republican fundraiser last week, charges Americans the highest prices in the world for prescription drugs. Listen to that again. Glaxo-Wellcome, British-owned prescription drug company, charges seniors the highest prices of any country in the world. The Republican plan is written by and for the drug companies. The Democrats' plan supports seniors.

#### INTRODUCTION OF CAPITOL POLICE RETENTION AND RECRUITMENT LEGISLATION

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

Mr. HOYER. Mr. Speaker, since last year's terrorist and anthrax attacks, Capitol Police officers have faced extraordinary challenges. For months after the attacks, most worked twelve-hour shifts, six days a week, to assure that Congress could continue its work. Such grueling shifts were required even with help from the District of Columbia National Guard, whose members stood watch with our Police for five months. The Guard has resumed its normal duties, and the twelve-hour shifts have eased, but Capitol Police still confront extraordinary challenges.

Unfortunately for Congress, its staff and visitors, Capitol Police also confront extraordinary opportunities—to seek employment elsewhere. As trained law-enforcement professionals, Capitol Police officers are always in demand by other law-enforcement agencies. However, in these times of heightened security, overall demand for trained personnel has never been higher. As a result, the Capitol Police are losing officers at an alarming rate. As of June 1, the Capitol Police had already lost 78 officers

to other law-enforcement agencies in fiscal 2002, and had three more such separations pending. This is more than twice the number lost on average to other agencies during the last three years. If this rate continues, the Capitol Police will by September 30 have lost 122 officers to other agencies. This does not include retirements and separations for other reasons. This tremendous attrition comes as Capitol Police strive to increase manpower to recommended levels.

One federal agency in particular, the new Transportation Security Agency, is attracting trained officers from the Capitol Police and elsewhere to serve as sky marshals and other airport-security officers. TSA is offering compensation that can surpass the pay of the average Capitol Police officer by more than 80 percent. An 80 percent pay raise is tough for anyone to refuse.

There is no doubt that TSA's work is vital. But the security of the Capitol complex is also vital. Congress has a responsibility to take every reasonable step to ensure that the Capitol Police can attract and retain the people needed to make the Capitol safe, so today, the distinguished chairman of the House Administration Committee (Mr. NEY) and I have introduced the Capitol Police Retention, Recruitment and Authorization Act. In addition to sundry authorization matters, the Act proposes a number of reasonable steps to reduce Capitol Police attrition and encourage recruitment.

First, the bill would schedule 5 percent pay raises for each of the next five years for officers through the rank of captain. Raises for higher-ranking officers would be discretionary with the Capitol Police Board. This provision would give officers who may be considering leaving the prospect of regular increases for the foreseeable future. The bill would also increase from six to eight hours the amount of annual leave earned per pay period by all officers with at least three years' service.

Second, as a matter of fundamental fairness, the bill would authorize the Board to make whole officers adversely affected during the recent months of sustained overtime by the limits on Sunday, holiday and other premium pay. This provision will restore to the officer roughly \$350,000 that they earned but could not receive due to those limits. The bill authorizes extra pay for officers in specialty assignments as determined by the Board, and lets the Board hire experienced officers and employees at salaries above the minimum for a particular position, as needed.

Third, the bill also provides important new benefits for officers. It authorizes establishment of a tuition-reimbursement program for officers taking courses on their own time leading toward a degree in law-enforcement field, and authorizes bonuses upon completion of such degrees. This will give officers ongoing opportunities for professional improvement, which should lead to more rapid advancement. For Congress, it will create a more educated and better Capitol Police force.

To help provide manpower needed to avoid the punishing overtime of recent months, the bill authorizes bonuses for officers and employees who successfully recruit others to join the force, encouraging the entire agency to become recruiters. It allows the Board to employ retired federal law-enforcement officers without reduction to their annuities, and temporarily extends the mandatory retirement age from 57 to 59, but only through fiscal 2004, by which the Police intend to reach full strength.

Finally, the bill recognizes that as important as these tangible benefits are, there are other, less tangible aspects that can make a job more interesting, and help persuade veterans to remain and others to seek it. The bill encourages the Chief of Police to deploy officers in innovative ways that maximize their opportunities to rotate among the various posts and duties, be cross-trained for specialty assignments, and generally to utilize fully the skills and talents of individuals. This will do much to enhance the appeal and satisfaction of the job, and make retention and recruitment easier. If done smartly, it will also make the Capitol, and those who visit and work here, much more secure.

I urge my colleagues to support this important measure.

#### PRESCRIPTION DRUG BILL

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

Mr. PALLONE. Mr. Speaker, I am pleased to say that I will be joined this evening by some of my Democratic colleagues as we discuss the need for a real Medicare prescription drug benefit.

I have been on the floor many times in the evening during Special Orders criticizing the Republican leadership in the House because of their failure to address the issue of prescription drugs and even bring a bill to the floor. So I want to start out by saying I hoped since they have promised that they are going to bring up a prescription drug bill to the floor of the House before the July 4 recess, which would be by this Thursday or Friday, I am hopeful since they made that commitment to do so that we will see some bill come to the floor, and there will be a debate on the prescription drug issue by end of the week.

I am still somewhat skeptical that we are going to see that from the Republican leadership because initially they said this was going to happen Wednesday, and now we hear Thursday and now we hear maybe even Friday. So certainly if they do not bring up the bill at all, they should be seriously chastised for doing that since they promised it for 2 months.

But even if they do bring it up, my great disappointment and that of my Democratic colleagues is that it is a sham proposal. It is not a bill that will provide any benefit or certainly any meaningful benefit to any senior citizen. And let me just explain why and very briefly raise two, I think, very major points. One is that the Republican bill is not a Medicare proposal. We all know that for many years since the mid-60's when Medicare was first signed into law that Medicare has been a government program that has provided senior citizens, every senior, with a guaranteed benefit for their hospital care and a guaranteed benefit for their physician's care. The bottom line is it

works. It is a government program that works.

Well, the Democrats have been saying, if we have a program that works like Medicare, then just expand it to include prescription drugs. And our proposal is very much like part B right now that pays for the doctor bills. There is a defined guaranteed benefit under Medicare. Everyone gets it. There is a very small premium, \$25 a month, a low deductible of \$100 a year, and 80 percent of the cost of the prescription drugs are paid up to \$2,000 out-of-pocket, in which case 100 percent of the prescription drug bills are paid.

We have a very effective cost-control pricing mechanism that says that since there is now 30 to 40 million seniors under Medicare, that the Secretary of Health and Human Services has a mandate to negotiate lower prices on behalf of this large pool of senior citizens to bring prices down.

The Republicans have gone just the opposite. Rather than provide a Medicare benefit, rather than continuing and expanding the Medicare program to include prescription drugs, all they are proposing, if it even comes to the floor this week, is to throw some money to private insurance companies hoping that these insurance companies will offer some kind of drug policy to senior citizens. And we know that the insurance companies are saying they are not going to provide these kinds of drug policies because they have never existed before.

And even if they do, there is no guarantee seniors will be able to buy one, what the premium is going to be, whether they will get certain prescription drugs, nothing, and no mechanism in the Republican bill to deal with the issue of price and trying to reduce costs. In fact, there is actually language in the Republican bill that says that the administrator of the program cannot interfere in any way and try to reduce costs or reduce prices.

So we have here a sham proposal on the part of the Republicans. I hope they bring it up. I hope we have a debate by the end of the week on the prescription drug issue, because we have not had it for almost 2 years as this Congress draws to a close. But when they bring it up, we are going to have to show there really is no benefit at all and no proposal at all.

Mr. Speaker, I yield to my colleague from Ohio, the ranking member on the commerce Subcommittee on Health, who has been an outstanding spokesman on this issue and who has really fought very hard to make sure that we get a real Medicare prescription drug proposal.

Mr. BROWN of Ohio. Mr. Speaker, I thank my friend from New Jersey, who has been, as a member of the Subcommittee on Health has helped to lead the charge on all these issues in the last couple of years as Congress, some of us, have moved towards a real Medicare benefit.

I want to sort of build on what my colleague has just said. Our plan, the Democratic plan, a Medicare prescription drug benefit, is administered by a program that Americans have learned to trust in the last 37 years, the Medicare program, while the Republican plan subsidizes the insurance companies to set up a Medicare prescription drug private insurance HMO plan. And we know how HMOs have treated seniors throughout this country over the last 5 years. Our plan, again, is a Medicare benefit. Their plan sets up drug company HMOs.

Now, let us for a moment again compare the two plans. The Democratic plan has a \$25 premium, the Republican plan, the premium is undefined. The premium will be set by insurance companies. And if what has happened in the States is any indication, the premium could be as high as \$70 or \$80 or \$90 a month. The Democratic plan has a \$100 deductible. The Republican plan, again set by the insurance companies, will have a deductible of at least \$250. The Democratic plan, while there is a 20 percent copay for the first \$2,000, the Republican plan has a 20 percent copay for the first \$1,000 then a 50 percent out-of-pocket cost copay for seniors the next \$1,000. Then, at \$2,000, the Democratic plan will cover all drug costs from there on up. The Republican plan covers no drug costs for the next \$1,800. So if a senior's drug bills are \$4,000, \$5,000, \$6,000, they are out of pocket thousands and thousands of dollars in the Republican plan.

But the ultimate comparison is look what has happened with this issue. The Republican plan is written by the drug companies. It is clear the drug companies are very happy with the Republican plan. In fact, in The Washington Post last week, and I quote, "A senior House Republican leadership aide said the Republicans are working hard behind the scenes on behalf of the drug industry to make sure that the party's prescription drug plan for the elderly suits drug companies. Republicans favor a private sector solution to lowering drug costs," and on and on. But I will say it again, a senior House Republican aide said the Republicans are working behind the scenes to make sure the plan, the drug plan for the elderly, suits the drug companies.

The Democratic plan was written with input from the AARP, from consumer groups, from all kinds of senior citizen organizations that want to see seniors benefit from this plan. The Republican plan was written by the drug companies so that drug companies benefit.

The logical question then is, why would the Republicans do that? Well, last week, as my colleague, the gentleman from New Jersey (Mr. PALLONE), saw as a member of our committee, right in the middle of the markup, right in the middle of hearing amendments and working on this legislation, the Republicans, on Wednesday evening at 5 p.m., and we usually work

much later than that when we are doing important pieces of legislation, at 5 p.m. the Republicans adjourned the committee so they could go off to a fundraiser underwritten by Glaxo-Wellcome, a British pharmaceutical company, to the tune of \$250,000 and supported by other drug companies.

PhRMA, the trade association for the drug companies, committed another \$250,000; other drug companies put in \$50,000, \$100,000, and \$250,000. So that the drug industry was pumping literally well over \$1 million into this fundraiser. And so we stopped working on the drug bill at 5 p.m. and the Republicans went to this fundraiser underwritten by America's drug companies, the world's drug companies, Glaxo-Wellcome, Bayer, and others from outside the United States.

Then the next day the Republicans returned to the committee hearing and voted consistently in support of the Republican prescription drug plan programs and consistently in support of what corporate interests, what the drug companies wanted.

As an example, I had an amendment that no Member of Congress should get a better benefit than senior citizens; seniors should have the same prescription drug benefit as Members of Congress. The drug companies did not want that, so the Republicans voted down the line against that amendment that says to the public senior citizens, sorry, your drug benefit is not as good as a Member of Congress.

Other amendments, offered by the gentleman from New Jersey (Mr. PALLONE), by the gentleman from California (Mr. WAXMAN), by the gentleman from Wisconsin (Mr. BARRETT), by several on the committee, by the gentleman from California (Mrs. CAPPS), also were voted down by the Republican majority because the drug companies did not want them. Anyone sitting in that committee with a scorecard could have written a column that reflected senior position, drug company position, and every single time the Republicans went with the drug company position. Every amendment, on rural health, on how to control and bring down prices of prescription drugs, on closing what is called the donut hole, or the gap, where prescription drug benefits simply end in the Republican plan at \$2,000, one issue after another the Republicans checked the box on whatever the drug companies wanted.

The kind of money that the Republicans raised from the drug companies last week is scandalous. The kind of money Republicans raised from drug companies and then turned around and voted the Republican line is absolutely outrageous. Americans need to speak out, tell the Republicans in this body how ashamed they are that they would take that position and vote the drug company line after pocketing literally millions of dollars from drug company interests.

Until the Republican leadership in this Congress gets its act together and

realizes this drug bill should be for seniors, not for drug company interests, Americans are going to continue to see the kind of stalemate here that has happened.

I just urge people in this country to understand where each party sits. The drug companies and the Republicans are on one side, seniors and Democrats are on the other side. And that is why this Thursday or Friday, when we vote for this, it is important that this House pass the Democratic substitute which gives a real benefit, which limits prices that drug companies charge so they cannot continue to charge Americans more than they charge the British and the Japanese and the Germans and the French and the Canadians and the Israelis and everybody else on Earth.

The fact is it is an industry that is the most profitable industry in America. They pay the lowest tax rate of any industry in America, U.S. taxpayers help to fund research and development, and the drug companies turn around with their Republican friends in Congress and continue to stick it to the American public.

□ 1945

I thank the gentleman from New Jersey (Mr. PALLONE) for the good work the gentleman has done on this legislation.

Mr. PALLONE. Mr. Speaker, I thank the gentleman for his comments. He articulates so well the price issue.

I have to say during that Committee on Energy and Commerce markup, there were two things that we realized over and over again. One is the Republicans were never going to put this program under Medicare because they are ideologically opposed to Medicare because they see it as a government thing, and they were not going to do anything to effect price reductions.

Mr. BROWN of Ohio. Mr. Speaker, Republicans want Medicare to take a right turn, and that right turn is to expand health maintenance organizations, to deliver the prescription drug benefit through a privatized HMO/insurance system. We want to see Medicare remain a public program and deliver the drug benefit the way it delivers hospital benefits and physician benefits. The Republicans want to put Medicare back into a private insurance scheme just like HMOs and put the prescription drug coverage into that same scheme to privatize the greatest government program in history, Medicare.

Mr. PALLONE. Mr. Speaker, we know when Medicare began under President Johnson it was because the private sector was not able to provide health insurance that was affordable for most American seniors. That is why the program was set up, not because we wanted a government program or we thought a government program was superior, but because the private sector was not providing any kind of affordable health insurance that most seniors could buy.

I want to develop a little bit what the gentleman from Ohio (Mr. BROWN)

said on the pricing issue. The incredible thing about the prescription drug industry is that they get so much money and help from the Federal Government right now, and I have a lot of the pharmaceutical companies headquartered in my district, and New Jersey as a whole, so I am not saying that they should not be able to make a profit, but think about the fact that this is an industry that get a tremendous amount of money from the Federal Government through the National Institutes of Health to do the research on prescription drugs. Then they have a patent program where they get exclusivity for new drugs that are developed for a long period of time and subsidize their patents through the exclusivity program, and then they get a break on the advertising through the Tax Code, and finally they have a situation where they closed the border for importation of prescription drugs from other countries because they know if that were to happen and we were able to import prescription drugs from Canada or Europe, we would have a situation that would bring the cost down.

So everything is being done by the Federal Government to make sure that they get a nice profit, whether it is money for research, whether it is preventing importation of foreign drugs, whether it is the patent exclusivity that they get, or the advertising break that they get through the Internal Revenue Code, and there are probably many other things that I could mention as well.

On top of that in terms of tax breaks and money and exclusivity of patents, even with all that help, they still want the American people, they want to charge the American people the highest drug costs in the entire world. That is not fair. That is why the Democrats are saying an important part of this prescription drug plan that we should pass here has to address the price issue. Otherwise, prescription drugs will be unaffordable and the Federal Government will not be able to afford a prescription drug plan that will actually help senior citizens.

I want to reiterate how important the price issue is. The Democrats in our bill, because we have our prescription drug program under Medicare, language that mandates that the Secretary of Health and Human Services take the 30 or 40 million seniors that are now part of the Medicare program and negotiate lower prices for them. He has the power with all these seniors to do the type of negotiation that would reduce prices because he can bargain. The Republicans not only have nothing like that in their bill, they have a clause, and I want to mention it briefly, in their bill called noninterference.

It specifically says that the person who administers the prescription drug program under their legislation cannot in any way require or institute a price structure for the reimbursement of covered outpatient drugs or to interfere in any way with negotiations be-

tween these private insurers and the drug manufacturers or wholesalers or other suppliers of covered outpatient drugs.

So the Republicans, contrary to the Democrats, are so concerned that under whatever program they have that somehow prices would be reduced, that they actually put in language to say it is not possible for the administrator of their prescription drug program to do anything to bring costs down. It is unbelievable how much they are willing to do the bidding of the drug industry because of the amount of money that they get from the drug industry.

Mr. Speaker, I yield to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Speaker, I thank the gentleman from New Jersey (Mr. PALLONE) and also the gentleman from Ohio (Mr. BROWN) for their great work on this issue.

Mr. Speaker, I am new to this Congress and I must say I had a handful of issues that I thought stood head and shoulders above all issues when I came to Congress; and one of those issues, quite frankly, that I think would greatly improve the quality of life for seniors in this country, America's greatest generation, would be to create a reliable and affordable drug benefit program under Medicare. That was my hope when I came to this Congress, and that is my hope tonight.

However, I must admit to great disappointment in reviewing the Republican plan for prescription drugs. I think that we need to start from the very beginning. In 1965, when Medicare was created, I think that back then there was a good-faith, bipartisan effort to develop a plan that would indeed address the health concerns of a lot of our seniors. However, in 1965, the model for health care for seniors at that time, the paradigm, if you will, was for seniors to receive health care. It meant hospitalization in a great many respects.

Nowadays, though, fast forwarding to go to what we have today, for many seniors, in order to achieve the goals of Medicare, we need to provide solid, reliable, affordable prescription drug coverage. Many medical benefits accrue to seniors now because of recent discoveries and developments by pharmaceutical companies who have done good work with their research. We need to provide access to those prescription drugs that offer a medical benefit. Today, to accomplish that, we need to have a plan under Medicare that is available to all seniors.

Under the Republican plan, there are a number of problems. First of all, a senior citizen would have to go out and find an insurance company or a plan that would allow them to participate. There is an obstacle at the very beginning. I think many seniors who have tried to acquire Medigap insurance, things of that nature through a private insurer, find out those insurers are few and far between, and the cost is prohib-

itive. Also in this program there is a substantial premium for seniors who would participate in what the Republicans are proposing here.

There is at least a benchmark premium of \$35 a month, which is \$420 a year, with a deductible of \$250 a year. Under the Republican plan, the seniors would pay 20 percent of the first \$1,000 and then 50 percent of the next \$1,000. So if a senior has a regular and serious need for prescription drugs, the very people we are trying to help in this, there are substantial costs.

In fact, the out-of-pocket premiums continue until that senior basically has reached the \$3,800 a year mark. That is when the full government benefit through their plan would begin. Again, that is not under Medicare. So there are serious problems with that.

I think this plan, the Republican plan, allows the seniors to be victims of low expectations. I think we can do better. I sit on the Committee on Veterans Affairs, and under the VA proposal, the pharmaceutical program under the VA, we have a straight \$7 copay for seniors, for our veterans who participate under that program. It is indeed a model that we should use in providing the Medicaid prescription drug program under Medicare.

Now, the way the VA does it, they use the collective weight of their purchasing power and they negotiate in a tough and competitive way with the drug companies. They end up getting a good deal for our veterans through good, hard-nosed negotiations, and that is the type of negotiations we should have with our drug companies on behalf of our seniors under Medicare.

The very provision that the gentleman from New Jersey (Mr. PALLONE) has pointed out, there is a provision under this Republican bill that actually requires the administrator not to interfere, not to go after discounts, and not to upset what the market would otherwise charge. I think that cuts the legs out from under this plan and under the administrator and prevents us from actually achieving what we are trying to do in this Congress.

Mr. Speaker, we owe it to our seniors to provide for this drug benefit. This is what they need. We have a responsibility to provide it, and we should let nothing come in between ourselves and that goal.

Mr. PALLONE. Mr. Speaker, I thank the gentleman for what he said. He brought up many important points, but there are two I want to develop a little more because I think the gentleman stated something so important.

One, the gentleman is a member of the Committee on Veterans Affairs; and how it works with the VA, the administrator, because he has all of these veterans, he is authorized by Congress to negotiate prescription drug prices for the VA. I guess it is pursuant to the Federal Supply Schedule, and he is able to get huge discounts. I understand they are 30, 40 percent, sometimes more.

We actually had an amendment, the gentleman from Michigan (Mr. STUPAK) had an amendment in the Committee on Energy and Commerce that was totally tied to the Federal Supply Schedule and that used the VA as his example. In other words, he wanted to put language in his amendment in the bill that would have said that the Secretary had to use the Federal Supply Schedule and do the same thing that the VA administrator did for all senior citizens.

Not only was that voted down strictly on partisan lines with all of the Republicans voting against it, but they actually articulated that they did not want that type of negotiating power for senior citizens. I do not have the faintest idea why. There was some suggestion it was okay to do it for the VA because they fought for the country, but seniors should not be treated the same way.

I wanted to point out that a lot of those seniors were also veterans, so that made no sense. Just to show how far they were willing to go to say they did not want any kind of pricing mechanism in this bill, they actually rejected an amendment by the gentleman from Michigan (Mr. STUPAK) that would have modeled itself on the VA, the way the gentleman described it.

The other thing that the gentleman said that was so important is the whole idea of prevention. In other words, the gentleman pointed out when Medicare started out in the mid 1960s, the reason it was set up was because most senior citizens had no health care. They could not buy health insurance.

At that time, we primarily were providing through Medicare for hospitalization; and then later we expanded it to under Part B to cover doctor bills. But the reason we need this prescription drug benefit is because things have changed so much over the last 30 years. Now the prescription drug benefit is just as important as Part A for hospitalization and Part B for doctors' bills.

□ 2000

I would venture, and you pointed out, and I know that the gentlewoman from Texas has said this before and the gentleman from Ohio has said this before, that if you actually provide a generous prescription drug plan under Medicare, where 80 percent of the costs are paid for by the Federal Government, which is what the Democrats do, because it is preventative, you will prevent the hospitalization, the nursing home care, the having to go to the doctors.

We had a couple of our colleagues, the gentleman from Arkansas (Mr. ROSS) who owns a pharmacy company and the gentleman from Arkansas (Mr. BERRY) who is a pharmacist, two guys from Arkansas, they pointed out that someone will come into their pharmacy like on a Monday or a Tuesday morning and ask for a certain drug that has been prescribed by their doctor and be told, Okay. Well, that is

\$350. The person says, I can't afford it, walks out of the pharmacy; and because the town is so small where they are in Arkansas, they actually see that person in the hospital at the end of the week running up a bill for Medicare that is 10, \$20,000. It makes no sense. We need to basically reform Medicare and include a prescription drug benefit, not put it outside Medicare, because we will save money if we do it. It is such a simple thing to explain to our Republican colleagues; and they just reject it because they do not like Medicare, and they certainly do not want any impact on pricing.

Mr. LYNCH. I think you raise a great point. I think that there is also a sad reality. I just met with about 50 senior citizens in my district who are actually boarding a bus to go to Canada. There was a woman, Mrs. Morgan, who had just fought off her second bout with breast cancer and had been prescribed Tamoxifen, which if she bought it at her local CVS in my district, in and around the neighborhoods of Boston, it would have cost her about \$1,500 per year. She was going to Canada to buy in one visit a year supply of that Tamoxifen for \$155.

There has got to be a better way. Even under the veterans plan, there are hard-nosed negotiations going on between the VA on behalf of veterans and the drug companies; and the drug companies while they are not happy with the negotiations as hard-nosed, they are making a profit. They are making a reasonable profit, however; and it allows the research to continue, it allows drug companies to continue to pursue what we will, I think, in a very short while see as really miraculous developments in terms of prescription drugs for many very debilitating diseases. We need to keep that initiative forward. But we also defeat our purpose if we pass a drug prescription program that seniors cannot afford, which is the great risk if the Republican plan prevails.

I thank the gentleman from New Jersey for his kindness in allowing me to participate this evening.

Mr. PALLONE. I want to thank the gentleman. I appreciate his remarks. I yield to my colleague from Texas who has been here so many times in the evening, oftentimes late at night, to make the point about how important it is that we have a prescription drug benefit that actually means something for senior citizens.

Ms. JACKSON-LEE of Texas. I thank the distinguished gentlemen, first of all, as I listened to my colleague from Massachusetts for articulating so well what the obstacles and the crisis that we are in and what we face in this debate this coming week. I was in another meeting and I was called indicating that you were having this discussion on the floor, and I thought of several points and as I came in you were making some points that I would like to briefly pursue because in my heart, this hurts me.

I want this benefit so much for our seniors. I do not want to seem as if I am exaggerating. I really want us to bring closure in a positive way to this issue because it has gone on for so long. I believe that so many of us have been in our districts so closely involved with our seniors who really have a personal crisis as relates to their medication. There are a multitude of examples of seniors having to leave the country. It is one thing to have to leave the State, but having to leave the country in order to secure the drugs that they need in order to live. Can I say that again? In order to secure the drugs that they need to live. That is what we are talking about.

What I am concerned about is that there are those of us who believe that there is value to the pharmaceutical research that is done in this country, and I know the distinguished gentleman from New Jersey who sits on the Committee on Energy and Commerce also recognizes that we must have that kind of scientific research, pharmaceutical research, drug research, new drug research. No one is discounting that.

One of the arguments being made by our friends in the pharmaceutical industry is that you are cutting our profit and we cannot do any more, if you will, far-reaching drug research to be creative in new drugs. I want to respond to that, because there are answers to that point. First of all, I think we should be concerned about senior citizens. I heard my colleague from Connecticut last week call them the Greatest Generation. But they have lived longer because of Medicare starting in 1965, in the mid-sixties.

We now can provide a crowning touch to that because what we are seeing is that the life expectancy diminishes when they are not able to get the drugs as prescribed by their physician. The key element that I think is important about this particular provision of the Democrats is that our provisions are not voluntary. It goes through the Medicare trust fund. It provides 80 percent in Medicare coverage. It means that every senior who needs it will have a definitive benefit which they can utilize. And it will eliminate confusion and whether or not they have to make choices.

This does not discriminate as far as I am concerned against our pharmaceutical companies. Why? Because they will have to use those drugs. And as was made very clear, and I think the gentleman from New Jersey made this point and I am convinced that he is right, that since this will be similar to part A and B or these provisions that come under Medicare, we will have the ability to see the maintenance decrease the cost of hospitalization that you do under A and B. And that in fact as they secure the drugs prescribed by their physicians, do the pharmaceutical companies not see a decided increase in utilization, because they will then be able to use the drugs prescribed.

My good friend knows that there is some rumoring and fear about generic drugs. There are some prescriptions, quite a number of them, that cannot be substituted by generic drugs. The physician wants the patient to take that particular drug. We know that. I know from my own parent, my own mom, that she takes drugs that are particularly prescribed by a particular drug company, a name brand, if you will. Look at the increase that will come with the ability to purchase and purchase the quantity that you need and at the same time provide good care for these seniors. Do our friends in the pharmaceutical industry not see the benefit and the profit for allowing the Democratic plan that has the higher percentage of value to go forward? And, by the way, providing, if you will, the same kind of compensation to providers, the hospitals and physicians. I think that should be noted, in the Democratic substitute, but providing that benefit that is not mandatory but it is part of the Medicare program which then gives them the automatic right and the automatic compensation, if you will, or income to be able to purchase those drugs. That is what I think is a point of contention that really should be enlightened upon, because I have always wanted us to come to the floor of the House with a bipartisan proposal that really works.

It saddens me that we are now at a point where we are about to vote on this and we are voting politically. We are voting simply to make some group happy over here that needs to be happy and that is our pharmaceutical friends who believe they cannot be happy with this plan that provides the 80 percent coverage. I disagree with them. I wish they would look closely at this plan because I cannot imagine when you increase the population of purchasers how that does not increase the profit margin if we have to talk about that. I only talk about that because I do believe that the research of new drugs is important. None of us want to deny that or diminish that, but we have got to be realistic about the needs of our senior citizens. I do not believe a voluntary program, which I was willing to look at, by the way, I need to be very frank with the distinguished gentleman, wanted to look at it because I wanted something to work. I would almost say that how do you mesh them and make them work together? But the key is a voluntary program is less able to provide the benefit than a program that is under Medicare and provided by Medicare and funded by Medicare.

And for those naysayers about the cost, all we have to do is put a moratorium or repeal the enormous tax cut that has really sent us into the deficit, if you will, that we are in. I would much rather invest in this particular plan because this plan has growth. It provides a lifesaving component to senior citizens benefits for Medicare. You cannot have health care and maintenance by physicians and they are not

able to take the prescribed drugs that they are given. This is a key element. I hope that my colleagues will join us and vote almost in unanimous manner on the substitute that I believe offers to all of us a real chance to make a difference on prescription drug benefits.

Mr. PALLONE. I want to thank the gentlewoman not only for what you said tonight but for being here so many nights as we try to literally pressure the Republicans to bring up a prescription drug plan and have it debated on the floor. You expressed with me how disappointed we are if this actually does happen this week and they bring up a proposal, that the proposal is such a sham that will not actually do anything to help senior citizens.

I wanted to yield to the gentleman from Arkansas, but I just wanted to say one point about what the gentlewoman from Texas said about the drug research and the increased utilization, because that was so important. We hear the pharmaceuticals saying, well, we need money for research, and you cannot reduce our profit. But I had said before, it is incredible to hear them say that because the Federal Government is so much involved in rewarding them and making sure that they have enough profit.

First of all, we provide a lot of money for basic research to the drug companies through NIH and other Federal programs. Then you talked about generics. It is true, of course, that there are many drugs for which there is no generic alternative because of the patent exclusivity. In other words, if you develop a new drug and you can get it patented and we give you an exclusive right to sell that over a period of time before a generic can come to market, that is a huge amount of money that the Federal Government through its patent policy is giving to the drug companies. You cannot have a generic under those circumstances.

Then you think about the fact, and a previous speaker talked about, because he is from Massachusetts, the buses going to Canada. We also say you cannot import foreign drugs, so we are again through Federal policy giving them another windfall because you do not have the option of competition with the drugs that would come from Canada or overseas in lower prices. Then we give them huge tax breaks for their advertising. For them to complain about how they need money for research is absurd.

I totally agree with you as well. I have never understood why they do not see bringing in all these seniors, now millions of new people in to be able to purchase prescription drugs, would simply increase their profits even more because now a lot more people would be buying the drugs. Their arguments are specious and make no sense. I just do not understand where they are coming from.

Ms. JACKSON-LEE of Texas. If the gentleman would yield for just one sentence on that point. It is such an im-

portant point and I end on this particular point, that is the incentive and the response that the government gives to the pharmaceutical companies. It gives them that benefit. That is why you have the patent, in order to protect them for a period of years so that there is no generic undercutting of the investment that they made to produce the drug. That is why you provide that patent and as well, many people disagree with that, but that is why we have those kinds of restrictions in terms of importation of drugs. Now people are, as I said, having to leave the country to save their lives. So you would find those same people right here using that Medicare benefit, that 80 percent Medicare benefit and buying those drugs that they now leave the country to buy. I cannot understand why there is not an understanding about that logic, but I hope we will have a coming together of the minds and vote on a good bill this week, which would be the Democratic substitute.

Mr. PALLONE. I thank the gentlewoman. I yield to the gentleman from Arkansas. We already mentioned your name tonight in the context of prevention, the person at the pharmacy that does not get the prescription drug and ends up being hospitalized.

Mr. ROSS. I would like to thank the gentleman from New Jersey and the gentlewoman from Texas. It seems like every week we are here on the floor of the United States House of Representatives talking about the need to truly modernize Medicare to include medicine for our seniors. Yet it seems like the majority, the Republicans on the other side of the aisle, only continue to give us rhetoric on this issue.

Let me tell you what I mean by that. Let me preface my remarks for those who do not know me in this body. I want to make sure that they clearly understand that I am a conservative Democrat. I have crossed over and voted with the Republicans when I think they are right. On this issue, they are dead wrong; and I believe it is time for some of us to stand up for our seniors and say so.

□ 2015

That is why I am proud to rise tonight in opposition to this prodrug manufacturer prescription drug bill and in support of the Democratic alternative, which I refer to as the prosenior bill, a bill that will truly help our seniors.

Let me also say that I believe I understand this issue. I understand it because my wife is a pharmacist. We together own a small-town family pharmacy. I have seen seniors in our small town of Prescott, Arkansas, with a population of 3,400 people. In that small town I have seen seniors come through our door after they have been to the doctor. Medicare paid for their doctor bill, Medicare paid for the tests that were run on them, and Medicare will even pay for their hospital stay and

surgeries, and yet Medicare does not cover their medicine. Too many times I have seen seniors leave that pharmacy without any medicine because they simply could not afford it.

Mr. Speaker, we hear a lot of talk about them having to choose between their medicine and their rent and their home mortgage and their utilities and their food. A lot of seniors in my district are getting by from Social Security check to Social Security check; and I understand that and I understand it clearly, because that is exactly what my 91-year-old grandmother back home in Prescott, Arkansas, does. She worked hard all of her life. Did not have a retirement at work. Her Social Security check is her only source of income. If you get ill later in the month, oftentimes you are not having to choose because you have already paid out of your \$500 Social Security check for those other things: your rent, your utilities, your food. And there is nothing left for your medicine.

Living in a small town, I would see a week or 10 days later so many seniors end up in Hope, Arkansas, at the hospital, just 16 miles down the road, running up a \$10,000 or \$20,000 Medicare bill or required to have a surgery that could exceed \$100,000, or diabetics who have legs amputated or require a quarter of a million dollars worth of kidney dialysis before they later died, simply because they could not afford their medicine or could not afford to take it properly. So I am not standing here tonight with a lot of rhetoric; I am standing here tonight with real-life stories from our small-town family pharmacy in Prescott, Arkansas.

Mr. Speaker, if we think about it, today's Medicare is designed for yesterday's medical care. I have said this before, but I will say it again because I think it makes a good point.

I recently ran into a senior, a woman who is a retired pharmacist in Glenwood, Arkansas, who just happened to be a relief pharmacist in my hometown when I was a small boy growing up. She said, you know, back in those days, which was not that long ago, she said, I would see prescriptions rarely exceed \$5; and when I did see a prescription that exceeded \$5, I would go ahead and fill the next one while I built up enough courage to go out and tell the patient that their medicine was going to cost over \$5. Today, it is nothing for a prescription to cost \$100.

I think health insurance companies are among the most greedy corporations in America. Even they cover the cost of medicine. Why? Because they know, as the gentleman talked about earlier tonight, they know it holds down the cost of needless doctor visits, the cost of needless hospital stays, and the cost of needless surgeries. All we are trying to do here is pass a bill that will help our seniors get the medicine that they so desperately need.

So why is the Republican bill a prodrug manufacturer bill? I do not know. It is crafted by the drug industry

for the drug industry. They have been unwilling, the Republicans have been unwilling to work with Democrats to develop a bipartisan bill; and I say to my friends on the other side of the aisle, it is time that this Congress stop talking about this issue and got to work. It is time we united in a bipartisan fashion on the need to truly provide our seniors with the medicine they need, just as we have united on this war against terrorism.

Now, the drug manufacturers are going to spend, actually through a front group known as United Seniors Association, they are going to spend \$3 million on an ad campaign trying to convince seniors that this Republican plan is good. Again, I have crossed that aisle and voted with the Republicans many times; and when they are right, I will vote with them. I am a conservative Democrat from south Arkansas, but I can tell my colleagues this: on this issue, I understand this issue, and on this issue they are dead wrong.

Mr. Speaker, this is a quote from the Washington Post: "A senior House GOP leadership aid said yesterday that Republicans are working hard behind the scenes on behalf of PhRMA," that is the drug manufacturers, "to make sure that the party's prescription drug plan for the elderly suits drug companies. Republicans favor a private sector solution to lowering drug costs, one that requires seniors to buy insurance for drugs from companies or through a managed care plan. Democrats want the benefit, drug benefit to be a part of Medicare, a change companies fear could drive down profits," Washington Post, June 18, 2002.

In the midst of the Republicans marking up this so-called prescription drug plan for our seniors, first they had this crazy idea of coming up with a discount card like it was some new concept. They have been around for years. Seniors who have bought them know there is no real meaningful discounts to a discount card.

When we created Medicare, thank God we did not say, here is a discount card, go cut a deal for your doctor visit or surgery. This should not be complicated. It is time for us to simply go into the pharmacy and get the medicine that our seniors need, just like going to the doctor and going to the hospital.

In the midst of the Republicans marking up, writing this prodrug manufacturer bill, they did take a break. They took a break long enough, and I am quoting here, and this is from The Washington Post, June 19: "Pharmaceutical companies are among 21 donors paying a quarter of a million dollars each for red carpet treatment at tonight's GOP fundraising gala 2 days after Republicans unveiled a prescription drug plan the industry is backing, according to GOP officials." Again, Washington Post, June 19, 2002.

I get angry when I look at statistics that tell me that PhRMA, the drug manufacturers, have over 600 lobbyists

on Capitol Hill promoting their interests. Let me tell my colleagues what makes me angry about that. Pharmaceutical company profits are nearly four times the average of other Fortune 500 companies. The annual profit of the top 14 pharmaceutical companies is \$38 billion, with a B, and the drug industries' effective tax rate is half that of other major industries. I could go on and on, but I will not.

But let me say this. The next time we see one of those slick ads on TV trying to tell us which drug we need to tell our doctor you need, have my colleagues ever thought about that? The next time my colleagues see one of those ads, remember this: many drug manufacturers spend more money day in and day out, year after year, on those slick TV ads trying to sell their product than they do on research and development of drugs that can save lives and help all of us to live healthier lifestyles.

Please, do not be confused by this ad campaign they are putting up trying to pass this prodrug manufacturer Republican bill. It is H.R. 4954. It is nothing more than a Band-Aid, at best.

Our plan, the Democratic plan, the seniors' plan truly gives our seniors the ability to go to the doctor, to go to the hospital and, yes, to be able to go to the pharmacy and get the medicine that they so desperately need. We treat the prescription benefit just like going to the doctor and going to the hospital. No gimmicks, no tricks. It is that simple.

Mr. Speaker, I am glad to yield to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I want to yield to the gentleman from Washington who has been out front on this issue for so long as well. But I just wanted to comment, I was so glad the gentleman brought up the statement, or the quotes, if you will, from The Washington Post about this big dinner that the Republicans had the night of the prescription drug markup in the Committee on Commerce. We actually had to break at 5 o'clock so that they could go to the dinner.

I have people come up to me and say, Congressman, no one thinks that anybody who is elected to this House has evil intentions. I mean, whether they be Republican or Democrat, they are not elected here, and they do not come here because they want to be evil. I really believe that strongly. I am sure all of my colleagues believe that.

So my constituents will say, well, why is it that the Republicans do not want to put the prescription drug benefit under Medicare if Medicare is such a good program, and why is it that they do not want to reduce prices, because that will save the Federal Government money? The answer is the special interest prescription drug industry. That is where we have the Republican aid very much saying that.

They do not want this to be a Medicare benefit. They want to give it to

private insurance companies, because the drug companies are afraid that if it is a Medicare benefit and guaranteed to anyone that somehow they are going to lose money or not make as much profit. And they do not want to reduce costs for the same reason. So what is happening is that the Federal Government cannot save money and the seniors cannot save money because the drug companies have to make a bigger profit. I do not even believe it is true, because I think that if we have this program of Medicare and if we have 30 or 40 million seniors getting it, that the drug companies will make even more money. So I do not even buy that.

But they are convinced that they are going to make less money, so they put pressure on the Republicans to say, do not put this under Medicare, do not reduce prices, do not have any pricing mechanism in it. There is no other explanation for it because it does not make sense. People are not doing things because they want to be bad and hurt people; they are just doing it because they are getting the money from the special interests.

Mr. ROSS. Mr. Speaker, if the gentleman will yield, if the gentleman recalls, he and I were here on the floor while they were out at the fundraiser with the big drug manufacturers talking about this very issue.

Let me say that those on the other side of the aisle, the Republicans, I am convinced, I know a lot of them, and I am convinced that they love this country just as much as I do. It is not about that. I think it is about being misinformed.

Mr. Speaker, when seniors cannot afford a quarter of a million-dollar contribution to get into an event, it makes it difficult for them to get their side of the story heard. So I challenge, I welcome, I encourage my colleagues on the other side of the aisle to call seniors in their district, to call their hometown family pharmacies and talk to the pharmacist. They understand these issues, and they know they are going to take a hit as a result of Medicare setting the price on something they now set the price for. They are okay with that, as long as the drug manufacturers share that hit. Do not forget, when one goes into a pharmacy, every dollar we spend, 84 cents, is a direct result of the drug manufacturer; 84 cents out of every dollar, a direct result of the drug manufacturers.

I just think they are misinformed. I think they are well-intentioned. I think they are good folks; they love this country like we do. This just happens to be an issue that they do not understand. Seniors cannot afford a quarter of a million-dollar ticket to get into a fundraiser in the middle of writing a bill. So I would ask them to put politics aside, get on the phone and call seniors, call your hometown family pharmacist. Ask them what they think about the Republican bill and the Democratic bill, again, the drug manufacturer bill versus the seniors' bill

that will truly modernize Medicare for our seniors.

Mr. PALLONE. Mr. Speaker, I thank the gentleman from Arkansas, and I appreciate the fact that the gentleman from Washington is here, and I apologize. I think there is about 7 minutes left, and I know that is not a lot of time, and I yield to the gentleman.

Mr. McDERMOTT. Mr. Speaker, I appreciate the gentleman yielding to me. I think that this is an issue where the question that if I were sitting out there, I listen to all of these people tear this Republican plan apart and ask themselves, why in the world are the Republicans putting forward something that has so many defects in it? I think the truth really is that Newt Gingrich was quite honest when he said once, we expect Medicare to wither on the vine. They never liked the senior health care plan we have in this country paid for through the government. They have always thought it ought to be done by the private sector. They have thought that for 38 years.

Now, the reason they have this prescription drug benefit out here is like the old story about the Trojan horse. They came up to the gates of Troy with this horse and everybody inside said, oh, what a beautiful horse. People said, well, the Greeks have brought it over here. It is a gift. So the people from Troy said, well, okay, open the gates and we will bring it in. They brought the horse in and lo and behold, it was hollow and filled with Greek soldiers who took over and captured and destroyed Troy.

Now, that is what this whole issue of pharmaceuticals is about. The Republicans want to destroy Medicare as we have always known it and make it under the private insurance industry. What they have done in this bill is to set up two bureaucracies. Right now we have one bureaucracy; it used to be called HCFA, the Health Care Financing Administration. They changed that, they call it CMS now, whatever that is; and they have that over there for the fee-for-services. Then they created something called the Management Benefit Administration over here, and they put all of the HMOs under that; and they put the drug benefit under that.

□ 2030

They separate the two and they give these two agencies the responsibility of managing competing ways of delivering health care, but it is not fair. They did not level the playing field. They said to these people over on the private side that they can hire anybody they want at any amount they want to pay them, but over here in the public side they have to use the civil service rules, so this will allow these people to take the best people away, and the whole idea is to set up this competing private sector delivery of health care.

I sat on the Medicare Commission for a year, and the whole time they were trying to set up a private health care

system. In those days, they called it a voucher. What they were going to do was give everybody \$5,400 and send them out to find a health care plan, and then we would not need this public program. We would just dole out the checks at the beginning of every year to the old people, and they would go out into the private sector and look for an insurance company that would give them their health insurance for \$5,400.

We said that will not work because there are people who are sick and people who are healthy. Some people will get a good program, some will get a terrible program, and what we want is a program for all senior citizens that give all an opportunity to have good benefits. And they said, no, let us just give them the money, and we will give them choice.

This is that magic word they throw around, "choice." My mother is 92, and I do not know but there are probably a few members of Congress who have got an older parent. When one is 92 years old, they are not much interested in choice. They just want something they can count on that they know will be there.

But Republicans are determined. From Gingrich, for the last 10 years, well, longer than that, 35 years, they have been trying to push us into the private sector because they know how to manage things so well and they are so kind and loving and they take care of us so well. Over the last 3 or 4 years, we have tried to get people to go into managed care. People went into managed care. What happens to them? They close down the program. We have had millions of people lose their benefits in this country.

So now it is not bad enough with HMOs. Let us do this to drugs. Let us put the folks into the private sector and let them start out and get a benefit and have it closed down, and then they will have to look around for somebody else. They will not have a benefit because it will not be a guaranteed Medicare benefit. It is a voucher. They are going to give a voucher to people and tell them to find a drug company that will take care of them. And the American people are not stupid. They can see a Trojan horse for what it is. These people have been after destroying Medicare for 35 years, and they are doing it today.

My view is that, if we allow that to happen, we will have given away one of the most important programs in this country for economic security. Most senior citizens feel comfortable knowing that they do not have to go to their kids for health care benefits, they do not have to go to their kids and beg to them and say please buy my medication.

My mother lives on a small Social Security pension. That is all she has. She has got three boys and one girl. We will help her. But the Republicans will not even count as paying for the drugs in their program what the kids put into it. My mother has to pay it all out

of her checkbook. So we have got to go through some shenanigans. We will slip the money to my mother and say, Mother, put this in your bank account and then you go pay for your medications instead of just our paying for it straight. We have to play games to protect our own parents. That is wrong.

#### SIGNIFICANT CHANGES IN OUR CULTURE

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

Mr. OSBORNE. Mr. Speaker, I am new to this environment, and it is truly amazing to me sometimes what we hear on this floor. I had not planned to talk on this issue tonight, but I thought I would say a couple words.

I have heard that the Republicans are out to destroy Medicare, been bought off by the drug companies, went to expensive banquets. I am a member of the majority. I have not heard from anyone in the drug companies. I have not taken a dime from anybody in drug companies, and I really wonder how many people on both sides of the aisle can say exactly the same thing.

This is something I would be very interested in hearing. I am really interested in basic fairness. That is something that I think in my former life usually we felt we saw.

There is a significant difference between the two plans. The main difference, which I did not hear discussed here this evening, is that one plan costs between \$800 billion and \$1 trillion, and no one knows exactly how much. The other plan spends \$350 billion. So the Democrat plan is three times, roughly, as expensive.

Now, if we spend three times as much money, we can probably just about provide anything that anybody wanted. But at some point, we have to pay for it; and \$350 billion was budgeted more than a year ago for Medicare and prescription drugs. The Republican bill fits within that \$350 billion frame. Therefore, it seems that, in fairness, that should be mentioned here after the debate that I heard tonight; not the debate, but the discussion.

But that is not why I am here this evening, Mr. Speaker. I came here to discuss something quite different. I used to be in the coaching profession for 36 years, and I worked extensively with young people during that period of time. I guess over that 36-year period I saw some significant changes in our culture. These changes disturbed me greatly.

I saw progressively more and more young men who were coming from dysfunctional situations, from broken homes, and particularly young men who had no father. I saw more drug abuse. Actually, when I started coaching in the early 1960s, drug abuse was relatively unknown. Of course, today

we have a major problem. I saw progressively more violence, more violent behavior. I saw more promiscuous behavior.

I would have to say that, in searching about for a reason, trying to determine where that came from, I would have to say that I think it was fueled to some degree by an ever-increasing amount of obscenity, violence, drug abuse, and promiscuity presented in our media. I do not mean to totally bash the media. I am sure there are other factors. But there is no question that there has been a significant increase in media violence, pornography, obscenity, and all these types of issues.

So it was very easy for me, when someone came to me several months ago and asked, would you sign on and cosponsor a bill called the Media Marketing Accountability Act, and since I was interested in this issue and I was interested in young people, I said, sure, I would be glad to. The reason this was a bill that I thought made sense was that the purpose of the bill was to stop the deceptive marketing of adult-rated, sexually explicit, graphically violent products to children.

The entertainment industry has their own rating system, and the movies are rated R, PG-13, or whatever; the video game system has their own rating system; and the music industry has their own rating system. What we are finding, according to the Federal Trade Commission, was that people were not beaming their advertising in accordance with their rating, so we would have an R-rated movie, an adult video game; we would have an adult recording that was advertised in magazines that preteen and early teen children read; or TV programs that were watched by young children.

So we thought there would be no problem. Certainly these people would agree. Yet, the day after this bill was introduced, I got a visit from one of the chief lobbyists with the entertainment industry. He began to tell me what a bad bill this was and how I should not be on the bill and on and on and on. I began to realize that they were serious, that they were going to market their products to children that were much younger than what the product would indicate by their own rating system.

So that was what piqued my interest in the subject. I think it is important that we think about this a little bit tonight.

I not long ago visited with one of the Congressmen who has been here a while who has been interested in this topic. He seemed a little discouraged. He seemed a little beat down. He said that he was not sure we were going to make any progress. That was concerning to me. I think the reason that he felt this way is that there had been a number of court decisions over recent years that have certainly led to the conclusion that it is going to be difficult to get anything done.

Let me just explain a few of these.

In 1997, the Supreme Court ruled that indecent speech is protected by the

first amendment and overturned the Communications Decency Act. That was in 1997.

In 1998, the Supreme Court refused to rule decisively on the Child On-line Protection Act, thereby allowing the legislation to remain law while preventing it from taking effect. Effectively, it killed the bill in 1998.

In 2002, the Supreme Court overturned the Child Pornography Prevention Act, ruling that child pornography must either involve minors engaged in sexual activity or meet the legal definition of obscenity to lose first amendment protection.

What this was about was there was a provision in there that would not allow adults who were dressed as or masquerading as children to participate in this type of pornography or to use some type of computer graphics that would simulate child pornography, which can be very realistic, and can be very difficult sometimes to tell between the real thing and the simulation. Again, the Supreme Court overturned this.

In 2002, a three-judge Federal court declared the Children's Internet Protection Act requirements that all schools and libraries receiving Federal funds use Internet filtering material to protect minors from harmful materials on the Internet; and, of course, what this means is you need a computer chip, you need some way to protect children from accidentally, in libraries and public spaces, from contacting pornography. Again, that was overturned.

So there have been a series of cases where the courts have simply overturned acts that seem to make sense and that are aimed at protecting our children.

Of course, one of the bills that really interested me was a few years ago the court ruled that a minute of silence at the beginning of a school day was unconstitutional. One minute of silence at the beginning of a school day was unconstitutional. So that minute was intended to focus kids to spend a little bit of time if they wanted to in prayer, or they could look out the window if they wanted to, or think about their history exam that was coming up, just one minute of silence. Yet it was deemed by the court that somehow this violated somebody's religious freedom.

So we have seen our culture shaped consistently by court decisions over the last 15, 20, 25 years; and sometimes the shift is so imperceptible we are not aware of it, but over time it has moved us from here to here in a very clear fashion.

The effects of pornography are sometimes difficult to even talk about, but I thought I would mention some of them tonight.

First of all, let us mention that pornography is not a victimless industry. Oftentimes, those who are interested in first amendment rights will indicate that what one sees and hears and reads really has no bearing on how one behaves. I guess to some people that makes sense.

But if we think about the advertising industry, which annually spends billions of dollars, it would not seem to me that the advertising industry would go along with that. Because, obviously, what we hear and what we see and what we read and what we listen to does have some impact on our behavior or we would not spend all that money in the advertising industry.

There are hundreds of thousands of dollars that are spent each year during the Super Bowl for a 30-second spot, prime time, hundreds of thousands of dollars maybe for a minute, 1½ minutes. If we think about it, an advertising company, if they can get their soft drink product out there, Coca-Cola, Pepsi, whatever, and they can get somebody to look at that product in a commercial or on a billboard, in a magazine, in a newspaper, and they can just see it five or six times a week, they realize that that is going to substantially increase the sales of that particular product.

□ 2045

And on the other hand if you think about it, if you see material that glorifies drug use, whether it be in a recording or on a television program or whatever and that is presented maybe 10, 15, 20 times a week, it certainly is going to move your behavior in that direction.

Last night I happened to be tuned into a television show very briefly and someone was interviewing a rock star, and the rock star apparently had received an award sometime previously, and the interviewer asked the rock star what he was doing when he heard about the award that he had gotten. And he said, well, he really could not remember because he was stoned at the time. And the interesting thing was the reaction of the audience. They seemed to enjoy that. They clapped and they applauded. And so there is no question that the entertainment industry is impacting our values and impacting the way that we would view drug abuse.

Another issue, if a young person views promiscuous behavior, 20, 25, 30 times a week, whether it be in movies, television, whether they hear it on a recording, again, that is certainly going to impact behavior and it certainly has. If we see very violent acts 50, 60 times a week, and it may be more than that for many young people, again, we are going to shift our behavior towards violence.

Pornography exploits and victimizes women and children, and it does so for money. Pornography is a \$15 billion-a-year industry. Just a few years ago, it was a matter of hundreds of thousands of dollars. Today it is a \$15 billion industry. In one study, nearly 80 percent of convicted molesters admitted to regular use of hard-core pornography. Roughly 80 percent. When you talk about people being sexually aggressive, attacking young women, the figure went up to 90 percent being regular users of hard-core pornography. So again we would have to say that there

does appear to be a link between what people hear and what they see and what they read and what they do. And so we are really flooding our society today with material that I believe is really dramatically affecting the lives of our children.

Currently, there are over one million pornographic Web sites on the Internet. Let me say that again. I did not say a hundred. I did not say a thousand. I did not say a hundred thousand. I said one million porn sites on the Internet.

I remember back in the eighties we had a Senator from Nebraska, Jim Exon was his name, and he tried to pass some legislation to regulate pornography on the Internet, and at that time people laughed at him and they said it will never happen, and it got nowhere. Today there are one million porn sites on the Internet. So if you put in a search word, girls dot-com, which some young person might do, you are going to get a host of porn sites.

I guess on a personal note, a few months ago I found that anyone who entered my name in a search engine would pull up a porn site. And so some young person out in the third district of Nebraska who was told to write a report on his Congressman very innocently would type in my name and there would be a porn site or someone who is trying to do a research project on old broken-down football coaches would put in my name and see the same thing. So it is virtually impossible today for a young person to be on the Internet very long, very often, very regularly and not run into this. And some of it is so graphic that it can actually sear a young mind in a way that that young mind never quite gets rid of that image. So the effects are really disastrous.

I would like to give you some examples of what this industry is doing to our culture. It was reported in a national review that a rural Canadian town began receiving television signals for the first time in 1973. Apparently, this Canadian town was somewhat far removed from metropolitan areas so they really did not get a television signal until 1973. They found over the next 2 years, by 1975, that violent and criminal behavior in that community had gone up 160 percent. Maybe that was just accidental, but I would have to believe that there may have been some cause-and-effect relationship.

In 1999 a survey found that two-thirds of American teens believed that violence in America's television and music "is partially responsible for crimes like the Littleton shootings at the Columbine High School," and this was put out by the Senate Judiciary Committee. So we find two out of three people living in the community in the environment where they are inundated by some of these messages say that they believe that there would be a link between that violence and that culture and what happened at Littleton. And I

guess they were pretty much on track because 5 days after the massacre, NBC reported that the Littleton killers idolized shock rocker Marilyn Manson. And Marilyn Manson was described by the music press as an "ultra-violent satanic rock monstrosity."

Kip Kinkel, who murdered his parents and two students in Springfield, Oregon, also was a great fan of Marilyn Manson, and that was reported in the Oregonian.

The American Academy of Pediatrics has said in 1999 in a formal report: "Children do not naturally kill. It is a learned skill, and they learn it most pervasively from violence as entertainment in television, movies and interactive video games."

A new national poll is out and it says this, that 76 percent of young people between 12 and 17 years of age say that pop culture encourages drug use. Of course, we have talked about that a little earlier, but particularly I think you will find in the recording industry that there is a great glamorization of the drug culture. So 75 percent of young people have drawn that conclusion as well.

The National Education Association estimates that many of the 5,000 teenage suicides each year are linked to depression that have been fueled by fatalistic music and lyrics. As you know, we lead the civilized world in teenage suicides. I believe the National Education Association is probably correct here, that some of the music that young people are absorbing is so fatalistic and glorify suicide to some degree to the point that some of these suicides obviously have to be linked.

The headline in the Wall Street Journal in May of 2000 says this: "AT&T To Offer Hard Core Adult Movies In Drive For Digital Subscribers." That was a headline in the Wall Street Journal. And AT&T, as most everyone listening would know, is one of the premiere industries in the United States. It is a so-called blue chip stock, and yet here we find a company with the stature of AT&T marketing hard-core pornography.

So what we have seen is that the bottom line has become more important than integrity. The bottom line is more important to industry than the welfare of our children. And this was, I guess, one of the most discouraging things I saw. Senator JOSEPH LIEBERMAN said this, he was referring to the traditionally family-friendly fare between eight and nine o'clock, the children's hour. He said, there is "material we never even imagined being on commercial television are now the nightly norm." He said, "Sex is being marketed to children not only as desirable but good, regular and normal."

Then there was an editorial by the New York Post. It said: "Increasingly, parents recognize the need to protect their children from popular culture. Indeed, it is scandalous that law-abiding, church-going citizens have come to see

themselves as strangers in their own land. Their values and aspirations are under constant assault from the violent and sexualized images the entertainment industry pumps in their lives."

I think most of us can relate to that. Many of us sit in our living rooms and wonder, What can we do to protect our children? What can we do to protect our grandchildren? Where are we headed as a Nation?

A 15-year-old raped an 8-year-old girl, and he said he got the idea from watching the Jerry Springer Show. Many of you may have heard of the movie "Natural Born Killers." I did not happen to see it, but I heard about it. I understand that there are multiple cases where young people have seen that movie and gone out and done copy-cat killings, and they ascribe "Natural Born Killers" as their primary motivation.

I knew a young man several years ago who was a good person, very gentle, very mild mannered; and for some reason he got addicted practically to a particularly violent recording. And he listened to it over and over and over again over roughly a 48-hour period. And some of his friends told him you have to quit this. It is not good. It is a very unhealthy practice, and not long after he went out and attacked a young woman and beat her severely, someone he did not know who was just walking down the sidewalk. Of course, there were probably some other factors going on here, but I certainly believe that that particular recording was part of the picture.

Obscenity has been given a free pass under the auspices of the first amendment. In assuring the rights to free speech, we may have destroyed other freedoms. And certainly I am in favor of free speech. I think everyone out there would say free speech is something we have to have, and I agree with that. But in the process of protecting free speech, I guess my question is, have we taken away some other freedoms from other people, particularly young people? And so if you are the victim of someone who has assaulted you, primarily inspired by some type of pornography, your freedoms have been taken away. There are hundreds, I think, in our country every year that are killed annually by those influenced by violence in the media. Tens of thousands are assaulted and raped by those addicted to pornography. What about their rights?

Pornography and pedophilia result in sexual assaults on our children; rape, assaults, and degradation of our women; and the break up of marriages. One half of our marriages currently end in divorce. There is no question that in some cases pornography is a major factor in the break up of a marriage.

This is something I have found very discouraging. The Center for Disease Control and Prevention estimates that 3 million teens per year contract sexu-

ally transmitted diseases and many of those diseases are incurable. The important thing to remember is that we are talking about 3 million each year. And since many are incurable, we are developing a fairly large number of young people who are infected with diseases that they will never be able to overcome. Out-of-wedlock birth rate was 5 percent in 1960. Today it is 33 percent. So one out of every three children born in our culture today is born with two strikes against them. I have to believe that to some degree the degradation of our media has had a direct influence on that.

I might also mention that obscenity is not protected by the first amendment. This is something that runs contrary to the belief of most people as the only type of speech to which the Supreme Court has denied first amendment protection. When the founders drafted the Constitution, obscenity was "outside the protection intended for speech and the press." The recognition of this understanding contrasts sharply with recent decisions regarding pornography, obscenity, and indecency. It appears that the Court has drifted from that earlier concept and drifted rather severely.

To determine obscenity, the Court determined a three-part test, which is called the Miller Test which I will put up here and let you take a look at.

The Miller test says this: that something is obscene if "the average person applying contemporary community standards would find that the work taken as a whole appeals to prurient interests." Which means simply arousal and it has no redeeming factor. Secondly, whether the work depicts or describes in a patently offensive way sexual conduct specifically defined by applicable state law. And, third, whether the work taken as a whole lacks serious literary, artistic, political, or scientific value.

I would imagine most people would say that a great deal of what they are seeing, what is coming into the living room at the present time would certainly be declared obscene under the Miller Test.

So you say, well, why do not we have more prosecutions? Why is this continuing to go on? And the reason is essentially that we do not have very many people that are willing to take it to court, and we do not have very many courts that are willing to hear the case. And so we have sort of had an abrogation of responsibility in this case, and we certainly have the tools to attack the problem.

Child pornography is defined in material that visually depicts sexual conduct by children, is not protected by the first amendment, and is also not subject to the Miller Test. So child pornography, period, even the possessing of it is illegal. So as a people, I think we have not expressed outrage, we have not spoken out, we have not taken obscene material to court. We certainly have become desensitized, and we con-

tinue to support companies who support obscene material through advertising, such as AT&T.

□ 2100

Last, on this particular point, what I would like to mention is that the Department of Justice has not prosecuted an obscenity case in the United States in the last 1½ years. In 1½ years, no obscenity cases have been prosecuted by the Department of Justice, and I know that this was one of the President's priorities when he ran for office. I know this is important to the President; and so it seems to me that our courts and we as the public, we as the Congress certainly need to be more responsible, more active.

I would like to reflect in the remaining 5 minutes or 6 minutes that I have here this evening exactly where we are historically; and this may seem like sort of a stretch, but I think it is important that from time to time we stand back as a Nation and try to look at where we are and where we are headed. Sometimes one of the best ways to do that is to see where other nations have been in the past.

Certainly, today, the United States is the most powerful Nation in the world. Fifteen years ago, we could have said, well, the Soviet Union was certainly close. Maybe 100 years ago we would have said the British empire, but I would say that, more recently, that we are pretty much in a position of pre-eminence where we stand alone. We are the most powerful Nation in the world politically, economically, in terms of ability to act socially throughout the world; and so it may be that we would have to go back a ways in history before we found another culture, another civilization that was similar.

I guess where I would head would be to Rome, and that is a long ways back. That is 2,000 years ago, but the Roman empire was a similar phenomenon to what we see today. The Roman empire totally dominated the then civilized world in almost every facet of its being. So if my colleagues think about the Roman empire and if they ever studied Gibbons' Rise and Fall of the Roman Empire, they would realize there were a number of factors that led to the demise of the Roman empire.

One of the major reasons for the fall of Rome was a decaying of values and the decaying of unity within the nation. Roman citizens became self-absorbed. If my colleagues have thought about the Roman coliseum, I happened to be in Rome a couple of years ago and saw the coliseum, and I thought about the fact that there were literally thousands of people who met their death in that arena. So to entertain the Roman mob, through name popular, the Romans had increasingly violent displays of gladiatorial combat, chariot races, simulated boat races where people inevitably died.

So the violence escalated, corruption escalated; and, as a result, eventually Rome began to disassemble. It began to

collapse from within. So I think that we need to think about this and realize that there may be some lessons that we can learn here.

I think we can continue to be the predominant Nation in the world but only if our moral and spiritual underpinnings remain strong. I think if we look at our current crisis in the business community, we can see very clearly what a crisis of confidence in just three or four companies does to the overall economy; and, right now, it is not 9/11. It is what happened at Enron and Andersen and Global Crossing and companies like this, which is really holding our economy back more than anything.

The framers of the Constitution did not envision freedom of speech embracing obscene material. That simply was beyond their thinking. The framers of the Constitution did not envision that even a minute of silence at the beginning of a school day would be unconstitutional, would violate somebody's religious freedom.

The framers of the Constitution did not envision the rise of post-modernism. Post-modernism is basically the idea that there are no moral absolutes, that everything is relative. This has become a very pervasive thought pattern in our world today, in our country today.

So the idea would be that adultery is not absolutely wrong. It may depend on what part of the country someone is in, who is involved, but it really is relative to the circumstance.

Today, we would not say that stealing is absolutely wrong, according to post-modernism, because it depends on how much someone needs, what they are stealing, who they take it from, and certainly if someone steals from the government, it does not count.

Lying is not absolutely wrong, according to post-modernism. Everyone does it. Sometimes we need to protect our career, our reputation. It may even be possible to lie under oath and get by with it.

Then, of course, fourth, it is not absolutely wrong to take an innocent life, according to post-modernism, because maybe that life is not old enough to be viable; maybe that life is too old to be useful; maybe that life is terminally ill; maybe that life simply does not want to live anymore. So it is all relative.

This is a very prevalent philosophy, and I think it would be very foreign, be something unheard of to the founders and the framers of the Constitution. As great of a threat as terrorism is, I believe in the present time that the greatest threat to our Nation is a collapse of values.

That may sound like an extreme statement to say at this particular junction. I do not want anyone to believe that I am at all minimizing the importance of the war on terrorism. I believe that every dime that we have appropriated here to fight the war on terrorism, everything the President

has done to try to keep things on track has been very, very appropriate, but I would also say that what is happening internally, what is happening to our children, what is happening to our value system, long-term, long haul, may prove to be every bit as threatening, if not more, than the war on terrorism.

Someone once said America is great because America is good. I believe that is true, and I believe America is still good. There is no country in the world that is as generous, as philanthropic, is based on spiritual values as the United States.

I would also say that there are some storm clouds on the horizon. There are some things out there that concern me, and so those who do not like the shape of those clouds should do all that they can to elect people who will appoint people to the courts who reflect their values.

Currently, in the other body, we have failed to fill 100 vacant judgeships for various reasons. It has almost brought our judicial system to a halt. The question is, who in the next 2 or 3 years is going to be making those decisions over in the other body as to who will fill those judgeships? Within the next 2 to 3 years we will probably have two to three members of the Supreme Court who will resign or retire; and when that happens, who is going to shape those nominations and those decisions?

If people like the way we are headed right now, then they certainly are committed to one course of action. If, on the other hand, people think we are treading on dangerous ground, then I think we better think very carefully as to who we send to the other body, who represents the people in this area here. I think it is incumbent upon the American people to elect people who aggressively promote a moral society and will protect our young people from obscenity.

This has not been an easy thing to talk about. It has not been an easy thing to think about, but I do believe that we cannot put our head in the sand. I believe this is a real problem. I think it is something we are all involved in, we can certainly address. So I would encourage, Mr. Speaker, those who are listening tonight to become active, to become politically active, become involved. Because the only thing that is going to let this thing continue to succeed and continue to fester is if we stand by as a Nation and continue to let it happen.

#### THE HEALTHCARE SYSTEM

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

Mr. TANCREDO. Mr. Speaker, as I sat here and listened to the gentleman from Nebraska (Mr. OSBORNE), I am made even more proud of the folks who

represent our side in this great deliberative body that we call the Congress of the United States; and the heartfelt plea that he makes to the Nation I think is, and the rhetoric, the chosen selective rhetoric that he used should certainly be an example for all of us to follow in terms of how to explain an issue and a position that stems solely out of true moral courage, and really no politics are involved at all.

I guess I would just like to say to I am proud that I know him, and I am proud to serve in the same assembly that he serves in today.

Also, I must add that waiting to address this body and to discuss the issues that I have on my agenda today, I have, of course, listened to my friends from the other side talk about another issue; and they did so at great length, talked about the upcoming debate on a proposal for Medicare, specifically for drug benefits, and how we will provide these drug benefits to senior citizens in this country. In a way, I think it was a great example. It was almost like a class discussion of cynical politics 101.

That is all I could think of while I listened to it. Because, as my colleagues know, Mr. Speaker, I have on several occasions sat here waiting for my turn to address the body and listened to my friends on the other side of the aisle talk about a variety of issues, but in the last several weeks, I have noticed that every single time I have been here, and to the best of my recollection almost every time that Members of the other side have taken the floor, they have done so to attack what they call the Republican raid on Social Security and suggests that the profligate spending of this Congress for a variety of programs and specifically the war on terror will cost us a lot of money, money that we do not have and money that we will, therefore, have to borrow from the American public. And that is absolutely true.

They have gone on and on and on and on. If anybody has observed the debate in this House over the last several weeks, they have turned every single issue that we are debating into a debate on this raid of the Social Security trust fund in the hope that they could scare the bulk of the voters in this country, especially the elderly voters, into siding with them come November.

Presenting a point of view, a reasoned, logical, truthful point of view is one thing, but this attack on the majority party for what is perceived to be our predilection to profligate spending, this is what I call I guess the cynical politics 101 that everyone should pay close attention to this evening and, as a matter of fact, on into the November elections.

For weeks, we have talked about and the folks on the other side have condemned this Congress for spending money in the areas I have described. Specifically, of course, it is the war on terror, combined with the downturn in the economy, that have caused us to go into deficit spending; and they have

condemned this. Forget about the fact that for the 40 years prior to this Congress or at least this House being in control of the Republican party that we were never ever, ever able to achieve a balanced budget. Forget that. While the other side had control, we were in deficit spending every single year, and nobody even thought about the possibility that might not be good for America. Forget about that.

Let us now turn to today's discussion.

We heard for the hour prior to the gentleman from Nebraska's (Mr. OSBORNE) taking the floor that the Democrats have a better plan for Medicare and specifically for the drug benefits for American seniors and that our plan is too stingy, our plan is complicated by issues of choice, the fact that we would give seniors the opportunity to choose among a variety of different alternatives for their drug benefit. They characterize that as immoral and something that we should avoid at all costs.

□ 2115

And they suggest that their alternative plan, one that is essentially socialized medicine for all Americans, is better. But I just ask, Mr. Speaker, that we all think about this: How can we spend weeks and weeks and weeks on this floor talking about the fear of raiding the Social Security fund to pay for other programs while completely ignoring the fact that the plan being presented by my Democrat colleagues will cost about \$1 trillion over 10 years, \$1 trillion over 10 years, and yet that is not, of course, raiding the Social Security trust fund? That somehow is figured into a budget, which of course we do not have; a budget that they refuse to propose.

It is a course in politics, as I say politics 101, maybe cynical politics 101, that we should be observing tonight, that we should be referencing, because it is easy for someone out of power to suggest that the majority should do something quite irresponsible. It is easy to do that. It is very difficult to govern. The fearful thing I have in my heart is that some day they may be in power and do exactly what they are suggesting, and that we may turn this entire Nation, the entire Nation's health care system over to the Federal Government.

That is a very alluring thing to a lot of people. They just do not want to think about health care costs. This is something so close to one's own emotional hot button that it is very difficult to discuss this logically, and that is something that we on this side of the aisle, I think, try to do often. We try to address these issues from a logical standpoint, not an emotional standpoint. But we are always at a disadvantage in that debate. It is easier to make the case that no one should worry about health care and that the government essentially should be relied upon to keep everybody alive for-

ever, to do everything possible to keep everybody alive forever no matter how much that costs.

There are a lot of people out there tonight, I think, Mr. Speaker, who would say, yes, I do not care about future generations, and I do not care about the war on terror, and I do not care about all the other things this Nation spends money on. I care about getting my prescription drugs at a lower cost. And if that means passing it on to someone else, a younger person, a healthier person, so be it; that is the way it should be done. I do not care, because of course I will be dead before too long and who knows and who cares what happens after that.

That is a way a lot of people look at this issue, and we hear from them all the time. I do. I am sure the Speaker does, and I know all of our colleagues do. People tell us, I really do not care about the cost. I do not caring about the dollars. We are told that over and over again by people who take polls, people who provide some sort of political consultation to us. They always say, look, the Republicans get too much into detail. Nobody cares about dollars; nobody cares about the detail.

Well, I guess that may be true; but I cannot avoid that discussion. I cannot help but talk about the problems this Nation faces from a fiscal standpoint and the degree to which irresponsible spending is a threat to the Nation, is a threat to our own security.

Now, I cannot tell my colleagues that I have all the confidence in the world in the Republican plan for Medicare and prescription drug benefits, because, in fact, I may be a "no" vote on that bill, but it is not because I think the Democratic plan is better. I think our plan costs \$350 billion over 10 years, the Democratic plan \$1 trillion. I do not think that our plan is that much better; it is just that their plan is so much worse.

I would like to see, frankly, a couple of things. I would like to see the government actually get out of the business of determining what is the appropriate service that any individual in Medicare can have and how much we should pay for that. That is really not my business. I do not know what is the best service, and I do not think any bureaucrat has the slightest idea how much we should pay for it. But that is the Medicare plan that we created in the 1960s. It has grown. It has grown so fast that in the first year of its existence it actually surpassed what Lyndon Johnson said it would cost us in 20 years.

It could consume the entire national budget. It easily could do that. Health care costs are astronomical. There is no real market. That is one problem. The other problem is that everything is exacerbated by government bureaucracies. But I am here to say that we need to do a couple of things in that area; and regardless of what we do, it should not cost us a lot more money.

It is not something that the Federal Government should actually even be

too involved in except to say that if there are people who are in dire straits, people that cannot afford health care costs because they have reached that point in life when they are on fixed incomes and the cost of medication and the cost of health care in general has gone beyond their ability to pay, okay. Okay. If we just do that, if we just focus on that, then we should come up with a true Medicare reform proposal that is something like the following:

The Federal Government should say to everybody eligible for Medicare that we will accept a certain amount dollar-wise, in terms of our responsibility for their health care costs, and we will give it to them in the form of a voucher. They can then use that voucher for the purchase of insurance from any of the wide variety of vendors. But our job, the Federal Government's job, is not to determine which provider gives them the service and how much and how many benefits they should derive from their insurance company. That is not our business.

If we have a responsibility, if this body determines that we have a responsibility to older Americans for health care costs, it should be in the manner I have described: to say to them, here it is, here is what we have determined. Somewhere between \$4,000 and \$5,000 a year we are spending per recipient on Medicare, is what I am told, so simply give a Medicare recipient a voucher and have them go out and buy the insurance that will cover their medical costs, which includes, by the way, the cost of prescription drugs.

We ought to get out of the business of determining who pays for the doctor, what doctor is eligible, what procedure is eligible, and how much it should cost. That is a plan for disaster. The other side, the Democratic Party, the Democratic suggestion, of course, is a plan for an even greater disaster, because not only will it destroy health care in America and turn us into a Nation similar to those who have already attempted nationalized health care and whose people now come to the United States for their own care, but it will also essentially bankrupt the Nation.

Now, I know there are a lot of people out there, as I say, who tell us, I do not care, I do not care what it costs; it is of no consequence to me because someone else will be paying for it. I know there are many people who feel that way. I certainly hear from a lot of them. But I do care, because we are not simply talking about just another one of those government programs.

Tonight, Mr. Speaker, as I was walking in, a gentleman asked me if I was going to support the bailout for Amtrak. He thought that I should do so because, after all, the government, as he says, supports a lot of dysfunctional programs. I cannot argue that. I cannot argue that we in fact do support a lot of dysfunctional programs. But I have tried my best, for as long as I have been here anyway, to vote against every one of them. Now, sometimes

you get caught up by having to vote for a major piece of legislation that has a lot of dysfunctional programs under it, but we are trying to accomplish a greater goal.

That is what we have done, and that is what we have promised people, and that is what they think government is all about. I suggest that every single person who believes that the government is responsible for their health care should go to the Constitution and seek the specific citation in the Constitution that provides that particular responsibility to the Federal Government, that gives that responsibility to the Federal Government. I cannot find it when I look for it.

Of course, we do lots of things that are unconstitutional, that are not provided for in the Constitution. I realize that. But, again, as I say, I try my best to vote against them. So unless we do a number of things in that particular piece of legislation, I plan to vote against it. Either way, certainly our side and certainly the other side's position.

I would like to see us create a real market system for the purchase of drugs, a market system that allows for drugs to be purchased in every country based upon what the going rate is around the world, not just in one country. I would like us to be able to have people in America buy drugs from Canada or Mexico or China or anyplace else if the drugs were that much cheaper, because that is a worldwide market.

Now, I recognize that people say, well, we cannot guaranty the wholesomeness of the drug. But right now, as my friend and colleague, the gentleman from Minnesota (Mr. GUTKNECHT), says all the time, we import literally hundreds of thousands, if not millions, of prescription drugs every single year from Canada and Mexico. We do it kind of illegally, on the sly. People go down and get it because it is against the law for us to import a drug from these other countries. But people do it because it is so much cheaper, and so far not one single person has died as a result of taking an imported drug.

So I must say that, yes, there may be a risk involved; but there is also the fact that there will be enormous, enormous savings to the American consumer by implementing a true market system in the area of drug benefits. The government really has no ability to guaranty everybody cheap drugs or health care that is the finest that the world can provide and that everybody else will pay for.

We try our best, and I think our Nation is to be commended for what we do for senior citizens, certainly what we did for my parents, my father, who is in a nursing home and on Medicaid and a recipient of government largess. I understand the incredible value here. I just suggest to us all that we have to at some point, at some point we have to think about what we cannot afford any more; and I would certainly suggest that a plan that costs us \$1 trillion

today is not something we can afford, and especially presented after weeks and weeks and weeks of attacks on our party, on the Republican Party, for what they determined to be profligate spending and the raiding of the Social Security trust fund.

I assure my colleagues that the Social Security trust fund will be a footnote, a small tiny footnote in the entire cost of the Democrat plan for prescription drugs, for socialized medicine. What they say is, we will pay for everything. Go get your drugs; we will pay for it all. That is nice to say. It sounds so wonderful. And it will gain them votes, I have no doubt about that. It will garner them votes. But at what cost? Well, \$1 trillion. But even beyond the actual monetary cost, there is a cost to the Nation in terms of our own stability, or financial stability.

□ 2130

Mr. Speaker, I want to go on to another issue tonight, and that is the fact the State of Colorado is experiencing what I know other States in the Nation, especially Arizona are experiencing tonight, the ravages of wildfires. Arizona is in a situation that almost dwarfs our own situation in Colorado, which is horrendous. Right now, we have the biggest fire in Colorado essentially under control or contained, I should say. There are other fires that are ravaging the State that are not quite as threatening as the Hayman fire, which is the largest fire in terms of acreage consumed in the State's history. It is, as I say, partially contained.

As indicated here by this picture that was taken from the Space Shuttle, there are other fires burning in Colorado. This is the Hayman fire. There is the fire by Durango and the fire in Glenwood Springs and several started over the weekend by lightning. The Durango fire is really progressing quite rapidly.

Tonight I want to simply do one thing when it comes to this particular issue, and that is to thank the many people around this country who have come to the rescue of the people who are adjacent to these fires, helped save their homes; and they have come from 25 different States in the Nation, firefighters from all over the country. I know the prayers of millions of Americans have gone out in order to bring these things under control, bring these fires under control.

Sunday I had the opportunity to once again fly over the Hayman fire, the scene of so much destruction. Although it was disheartening in many ways, it was also encouraging because you can see that the fire has, in fact, been contained. It is due to a variety of reasons. Of course, weather has something to do with it. We have had a little more humidity, a little cooler days, but it also has to do with the fact that literally thousands of people have risked their lives and put themselves in harm's way to help stop this fire.

I want to simply come to the floor tonight to say thank you to them. Four of those folks were killed in an automobile accident on the way to fight the fire; and there have been many memorials in our State and in the State of Oregon that have been offered up in memory of these people, of these brave young folks who set out to do something good for someone else and whose journey ended in such a tragedy. Our thoughts, our prayers, and our solace go out to the parents and to the relatives of the people who died in that horrible car crash coming to Colorado to help us.

We have learned several things. I have been in Congress a relatively short time. This is only my second term; and, unfortunately, I have experienced several tragedies as a result of what has happened in my district during that time. Of course, the first was Columbine High School. I had only been here a few months when that occurred and had to try to figure out how to deal with that and bring some sort of closure to the issue and to the horrible, horrible events of that day in April.

One of the things that I realize that happened during that time is that, no matter how horrible an event is, and the Columbine experience was far worse than even these fires. These fires have cost lives, it is true, but nothing can be compared to the loss of lives of the children who were killed at Columbine, and the adult. But out of every single tragedy something good can develop and usually does. No matter how horrible it is, we have to try to concentrate on the fact that something good can happen. In Columbine, I saw many things happen that I can describe as positive, even as a result of this horrible tragedy.

First of all, I can tell Members that families, not just in the Columbine area but all across the Nation, families re-evaluated their relationships and became I think a little more in touch with the fact that life is so precious and that their children should be valued above all. We did have sort of a coming together of families that I think perhaps we would not have had under other circumstances. Hundreds of thousands, and I know that is maybe stretching it in some people's minds, but I believe it is true that hundreds of thousands of people, especially young people, came to Christ as a result of the kind of stories that were told about some of the young people that died in Columbine; and their own commitment to the Lord and the courage that they showed in this horrible, horrible time was an inspiration for many, many people, adults and children.

In this fire which is a tragedy, not reaching the proportions of Columbine but a tragedy nonetheless, and as I say there have been deaths, four people coming to fight the fire and one individual that has been identified as a result of the fire, a lady who had a severe asthma attack as a result of the smoke

from the fire and has perished, but out of it can come something of value to the Nation, something good. That is that we will have some idea how not to just prevent but perhaps control these horrendous events.

For years now the Forest Service of the United States has been in a quagmire, constructed somewhat as a result of the impositions that we have placed upon them from this body, the government of the United States, the Congress of the United States, passing law after law after law which impeded their ability to actually fight fires. That is on one side.

On the other side is the environmental community that has taken advantage of all of those obstacles to in fact file appeal after appeal after appeal and lawsuit after lawsuit after lawsuit to stop the Forest Service from actually managing forests. Those two things have combined to create a disastrous situation, one that is exemplified by the fires that we see this year brought on by incredible drought and careless activity on the part of human beings, but made far worse by the fact that we have not been able to actually manage the forests. We have not been able to clean the forests and take out a lot of the fuel loads.

The General Accounting Office reports that one in three forests in America is dead or dying. This after how many years of environmental impact statements, literally hundreds of steps that have to be taken by every agency dealing with the forest, whether it is the Forest Service themselves, the Division of Wildlife, every single entity, BLM, Bureau of Land Management, to have to go through the hoops that have been created by us and by the environmentalists, we now find one in three forests dead or dying.

The Clinton administration cut back timber harvesting by 80 percent and used laws and lawsuits to make swathes of land off limits to commercial use. I am quoting from a Wall Street Journal article of June 21. We now see that millions of acres are choked with dead wood, infected trees and underbrush. Many areas have more than 400 tons of dry fuel per acre, 10 times the manageable level. This tinder turns into small fires which turn into infernos, outrunning fire control and killing every fuzzy and endangered animal in sight. In 2000 alone, fires destroyed 8.4 million acres, the worse fire year since the 1950s. Some 800 structures were destroyed. Control and recovery cost nearly \$3 billion.

Maybe the good thing to come out of all of this is that we have learned something about how to minimize the effects of wildfires in the forests of our Nation. And maybe, just maybe, we will be able to do something in the Congress of the United States to reduce the number of obstacles in the path of those folks trying to do their best, Forest Service personnel especially, to keep our forests in a way that they can be enjoyed by all people in this country.

I do not know if we will accomplish it. The obstacles are great internally within the Forest Service itself and externally in the environmental community. They believe that no people should be in the forest, that no activity should be allowed because any activity is "unnatural," close quote.

The fires that I saw in my State, I wish I could have taken every single environmentalist who had filed an appeal stopping the Forest Service from doing any work in the 5,000 acres of what we call part of the national forest that was identified as roadless area. A year and a half ago we could have been in there beginning the work, beginning to thin that area so as not to be so susceptible to these incredible forest fires. Appeal after appeal was filed. We were never able to go in and do the work, and now there is no use in filing any appeals because that part of the forest is long gone. It is nothing but charcoal.

Maybe that is what environmentalists think is natural. Maybe they look at that same scene and think, that is just nature's way. Of course, fires are nature's way. Fires can be healthy things in a forest, but not the kind of forest fires that we are looking at today, not the Hayman fire, not the Glenwood Springs fire, not the Durango fire, not the fire in Arizona now 300,000 acres and growing.

In Colorado, we have, as long as we have kept records, we have the most severe fire, the fire that has been the most destructive prior to the Hayman fire, which has consumed 140,000 acres so far; but prior to that in 1876, I believe, we had the other most destructive fire that the State of Colorado has ever experienced in record-keeping time. That was 26,000 acres. I assure you, Mr. Speaker, between 1876 and today, we have had many, many droughts.

□ 2145

We have had many, many times when the forests were tinder dry, as they say, and susceptible to horrendous damage if a fire started. But in fact when fire started naturally or even in those days caused by man, they did not consume 100,000 acres. The reason is because there was not a fuel load in the forest to allow that to occur. Today there is. Why? Because 100 years of fire suppression has created this incredible amount of fuel on the forest floor. This fuel burns hotter and faster and more destructively than a normal or a, quote, natural fire, so destructively that it will actually burn the ground, burn the soil, it gets so hot; and for several inches down, everything is essentially sterilized.

Nature puts down a barrier below that called a hydrophobic barrier that actually, when this occurs, when it does that, it is actually impermeable. What nature is trying to do is hold the rest of the mountain together. But that means that everything above that barrier will go the minute we have rain. And where does it go? It will go into, in

this case, the Denver water supply and will have to be filtered, will cost us hundreds of millions of dollars perhaps to do that because this particular fire is incredibly damaging in that respect.

Thank God and thank the firefighters that have come into Colorado. We lost around 117 homes in the Hayman fire. But if this fire happens again, because it certainly could, all the conditions are exactly the same and right on target for another disastrous fire at any time in any other part of the forest, if it happens just a few miles north of where this one occurred, we will see thousands of homes go up in smoke and thousands of lives shattered, another 100,000 or more acres destroyed, habitat for many, many endangered species.

Here is one little interesting tidbit that we have to deal with, Mr. Speaker, when we talk about the idiotic environmental problems we face with trying to manage forests. Today in Colorado we have had the opportunity to do a controlled burn. This is part of forest management, where you go into a particular area and you will have create a fire, you will burn the underbrush but you keep it under control so that you burn away a lot of those fuels and do not ignite the whole forest on fire.

There is an area called the Polhemus Burn in Colorado. It took ages for them to agree to get the EPA to allow this burn to occur, because the EPA said that a controlled burn of 5,000 to 8,000 acres would actually cause a problem. The smoke would cause a problem with the system designed to keep the air pure and that sort of thing and the plan for Colorado, the air quality plan in Colorado. So it took forever for them to agree to it. They are always putting up obstacles to a controlled burn because of the smoke that they say that the EPA said would pollute the atmosphere if you burned 5,000 acres.

So we have burned 140,000 acres in one fire alone in Colorado and guess what? That does not count against the air quality standards. We could burn down the entire forest if it is done by an illegal campfire or by a lightning strike. We could burn a million acres, 5 million acres, 10 million acres, and it would not count.

Let me tell you what that means right now. Right now, with 140,000 acres in the Hayman fire, every morning when I got up this weekend when I was home, I would look out and you could not see the mountains really. There was a haze over the mountains. And I live not too far from the mountains. This is a peculiar site in Colorado which has prided itself for many years of having this pristine scene, the mountains, the clear blue sky. You cannot even see the mountains. One lady has died already because of the pollution in the air. The ashes will accumulate all over.

I went out. I was blowing out my garage and driveway. I am a little anal about this. I want to keep it clean. I was blowing it all out. This huge cloud

of smoke comes up from my driveway because of all the ashes that had accumulated there. I live 25 or 30 miles from the fire. But that does not count. That does not count against our air pollution control, air pollution cleanliness thing set by the EPA. That does not count. We can do that. But we cannot do a controlled burn.

Let me tell you about the Polhemus Burn. It happens to be on the periphery of the Hayman fire. I flew over it. Mr. Speaker, it was incredibly interesting. Because, as you fly over the fire, you see that where we did the burn just a little more than a year ago, the fire actually stopped. The Polhemus Burn was a buffer against that fire moving farther east and into homes along the front range. You can see where what we have done has worked, but we have to fight every single step of the way with the EPA to do a controlled burn of 8,000 acres. But 100,000, 200,000 acres, no problem as long as it was started by a campfire or a lightning strike. That is okay. That pollutes the air for weeks and weeks and months to come. But, no problem.

This is the idiocy of trying to actually have a Federal control of this process that really and truly does not allow for the kind of thing I have just described here. It does not allow us to actually manage the forest. These are idiotic laws, idiotic regulations that have cost us severely. We have to change it; and maybe, maybe, the outcome of these horrendous fires will move this Congress in that direction. Maybe we will do something to try and reduce the possibility of the lawsuits, the frivolous lawsuits, the frivolous appeals and the internal inertia in the Forest Service. Those two things have combined to create this event, captured by the space shuttle.

You can blame that on the things I have just described, bureaucratic inertia and environmentalists, extreme environmentalists, obstacles they have placed in the way of trying to manage a forest. I am not saying the fire happened because of those things. I am saying that the seriousness of the fire, the severity of the fire is directly a result of poor management; and the poor management is a result of the things that I have described.

So maybe we can overcome this. I do not know. I certainly hope so, because something good has to come out of this, that at least we can eventually, several years from today can say, well, we learned a lesson from this. Yes, it was a terrible price to pay, hundreds upon hundreds of thousands of acres gone, the watershed destroyed, wildlife habitat destroyed. It will take 100 years for what has been burned to be replaced by something that looks like a forest again, 100 years. I will not see it. I do not even think my kids will see it.

What worries me is that this is June 23 or June 24. We are at the beginning of the season. How much more will it be on fire this year? I do not know, and

next year. Because, believe me, even if we implemented, even if tomorrow we started to do everything we needed to do in terms of forest management, it will take us years to clean the forests and get them back to a position that they can sustain these kinds of fires in a natural setting.

But it is an example of good ideas gone awry. It is an example of so many things we see here in government, where everybody thinks they are doing the right thing. Law upon law upon law upon law is passed every year; and each one, if studied individually, yeah, that seems right, absolutely, we should do that. But when you put them all together, they combine to create this kind of problem.

Once again, I want to thank all those people across the Nation for their prayers and for their help in fighting these fires. Many men and women are on the line tonight in Colorado and in Arizona and in other western States. We owe them a debt of gratitude that I want to express as best I can here on the floor of the House tonight.

Mr. Speaker, in the time I have available, I am going to move to another issue, not one that is completely unfamiliar to the people who may be observing us tonight or listening. In a way this has got to do with immigration reform, but in a bigger picture. Something happened in the last week that I feel compelled to bring to the attention of my colleagues here on the floor and those who may be observing it.

The Bill Bennett organization, Bill Bennett was the Secretary of Education in the Reagan administration, was my boss for several years. I was the regional director for the U.S. Department of Education. His organization did a poll recently, asking college students a variety of questions. Some of the answers that they gave to these questions, although surprising to some, were not surprising to me, although they were certainly disheartening.

What I want to do tonight in the minutes I have remaining to me is to explain one of the things that motivates, perhaps the most important issue I feel compelled to actually try to advance or discuss when it comes to the issue of immigration, immigration reform and some of the major ramifications of massive immigration into the United States. It is hard sometimes to get the big picture out there, but in a way this poll that was taken of American college students helps me try to do that.

Mr. Speaker, let me say this. I believe that we are in this Nation and as a member of western civilization as perhaps the leading Nation in what can be described as western civilization, we are in a conflict. It is a conflict that is really quite old in origin. It has been going on for hundreds and hundreds of years. It flares up at certain points of time and subsides at others, but it is nonetheless an ongoing conflict. There are those certainly who would suggest

that the threat to the United States is posed by an organization often referred to as al Qaeda and that it is a relatively small group of people around the world who have the intent to do America great harm.

I would suggest that a thorough study of world history would bring one to a different perspective, and that is this, and I am condensing an awful lot of information into a relatively small period of time here, I recognize. I would suggest that our foes, that is, the foes of western civilization and all that it represents, republican form of government, reliance on individual responsibility, individual freedom being a sort of mainstay of western civilization, the rule of law and not of men being the mainstay of western civilization, these are the philosophies, these are the ideas that we have brought the world, and these ideas are in conflict with other civilizations.

I suggest that it is not just al Qaeda that we are fighting. It is not just a small group of individuals out there, the tentacles here and there in several countries. Believe me, Mr. Speaker, by the way, I should say I am in total support of the President's attempts to try and stamp them out, to try to go wherever they are and eradicate them. I absolutely agree with it. But I think it is foolhardy for us to assume that, even if we were actually able to either kill or arrest every single member of the al Qaeda organization, that America would be safe. Because I think our battle is with something bigger. It is with fundamentalist Islam in this case. That is part of the clash of civilizations. That is the one we are now dealing with most directly.

As I say, over the course of history, world history, you will find that it has happened often, that these flash points have occurred, that there have been times when we can see a much more direct, a much more identifiable conflict, when armies met, Crusaders against the Saracens. But we can see that, as times change, we no longer will be fighting wars with major armies facing each other in some remote corner of the world, the winner and the outcome of the battle determining the winners and losers of the war.

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That is not the kind of war we are fighting today; it is not the world in which we live. The world in which we live is a war fought by people blowing themselves up on buses in Jerusalem or in the West Bank. It is a war being fought by people who take airplanes and crash them into buildings in the hopes of destroying a different civilization. It is American civilization; it is Western civilization that our opponents hate. It is not just an issue of Israel versus Palestine. That is only one front where fighting is actually going on in this clash of civilizations. At least that is my belief. If one looks at this I think from a bigger perspective, that is the conclusion to which one must come.

Now, how does this fit with what I started off talking about in terms of Bill Bennett's organization and the poll they took? Well, for us to be successful in this clash of civilization, for us to actually hope to be able to win this war, we have to recognize that we are, number one, fighting that kind of a war. It is not just simply a small sort of tactical attack that we are focusing on here and dealing with, on one subgroup of fundamentalist Islam. It is a much bigger problem, and it will go on for a long, long time. In order to be successful, we as Americans have to know who we are, what we stand for, and believe in Western civilization, because that is what we are actually fighting for. It is not just to stop people from crashing into a building in New York. It is our very survival. I assure my colleagues that the folks who want to do us ill want to do so as a result of the fact of who we are, what we believe in, what we exemplify. That is what they hate, and they will not stop ever until that particular goal is accomplished, and that is the eradication of Western civilization. It is, I think, that big an issue with which we deal.

So it is important for us to understand that when we ask American students what they think of America, what they think of America vis-a-vis other countries, how they actually kind of rate our system and our society versus other societies, it is disheartening to hear and see the following results: American students, according to this poll, intensely and overwhelmingly disagree with the statement that Western culture is superior to Arab culture. Only 16 percent believe Western culture is superior to Arab culture, but 79 percent do not.

Now, that is the result I suggest, Mr. Speaker, of a deliberate, sort of philosophical point of view that has been expressed in schools, in classrooms in colleges all over America for at least a decade or more, longer than that, 20 years at least; and that is what I refer to as cultural relativism, that it is all the same; that we should never, ever think of another culture as different or certainly less deserving, less important than our own.

Well, in fact, Mr. Speaker, the reality of the world is this: that we do have something unique in the United States, and it is not chauvinistic to express that point of view. In fact, we must believe in that if we are to win the war to which I refer in this clash of civilizations. If we believe that all cultures are the same, that there is nothing different between the United States, between Western civilization, between a liberal democracy, between the rule of law, between the intent or the belief that people have the ultimate responsibility for their own lives; if we do not believe in that, then we cannot be successful over the long, long haul in this clash, and it is going to be a long haul.

And if we think for a moment that we are in a Nation that is less desirable than any other, or equally desirable as

all others, then all we have to do is to raise the gates all over the world, raise the gates and allow people to flee from whatever country they live in to the country they want to go to. Does anybody think for a moment that there is going to be a mass exodus from the United States to Saudi Arabia or to Afghanistan? I do not think so. Does anybody think for a moment that if we actually raise all of the gates that there would not be a huge influx of people from all over the world, including the Middle Eastern countries, to the United States where life is better, and it is better because of Western civilization? I am not ashamed to say that; and I am, in fact, proud to say it, because I believe it. I believe it is empirically provable that life is better.

There is a great satirical piece that was done, my son sent it to me, it came off the Internet, something called "James: The Screed." I do not know to what that refers, but he is doing a satirical piece on this poll. And he is suggesting that this is an essay question that is typical today in a college classroom. Remember, this is satire, okay?

Here is the essay question: "Two choices: life as a gay atheist in Fargo, North Dakota, or life as a Christian gay in Riyadh. Write 1,000 words describing how each faces equal hardship. If your essay contains less than 1,000 words, you will either be docked one grade or have your left hand removed with an ornately engraved scimitar, depending on which morally-equal culture the teaching assistant wishes to consult."

This is great stuff. "B: Western culture is equal or inferior to Arab culture because: (check any you believe to apply)" of the following: "Number 1, Our so-called democracies are fronts for corporate interests. Nadar doesn't win here, Nadar doesn't win in Syria. What's the difference?

"2, our so-called freedom of scientific inquiry unshackled from religious strictures is a sham. Galileo was oppressed by the Catholic Church, wasn't he? Didn't every American moon shot end in failure because we believed the sun revolved around the earth and we failed to account for the gravitational pull? Stupid Pope!

"3," this is another option that you can check: "We spend more on flavored massage oil than we do on foreign aid, which is so, like, typical. Saudi Arabia spends more on mosques here in the United States than their citizens spend on "Hustler," which should tell you something.

"4, they may stone adulterers, but we are equally puritanical about sex, as evidenced by the recent refusal of the Toledo City Council to grant medical benefits to the pets of cohabitating transgendered city employees."

It goes on. I mean it is a great, great satire, and I encourage everyone, Mr. Speaker, here to go on the Web site and look it up. It is called "The Screed." It is an "attempt to disassemble the indefensible." It is very, very good. Very interesting.

But what it does is point out that we need to know who we are; we need to actually defend that point of view and Western civilization as we know it. And when we talk about how this actually connects to immigration, I suggest to my colleagues that we do need to actually have a country that is a country connected by people who can speak to each other in one language and share a common set of values and ideas. Massive immigration is a threat to that particular philosophy and idea. Not immigration itself. Immigration is a fine thing that has helped the country and has been wonderful in many ways. But the massive immigration we are witnessing today does not help us create a cohesive country, a country that does share one language, one set of ideas, one set of principles. We are becoming Balkanized and, as a result, unable to effectively fight this war in this clash of civilizations.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Mr. GEPHARDT) for today on account of personal reasons.

Ms. CARSON of Indiana (at the request of Mr. GEPHARDT) for today on account of official business in the district.

Mr. JEFFERSON (at the request of Mr. GEPHARDT) for today on account of personal business.

Ms. KILPATRICK (at the request of Mr. GEPHARDT) for today on account of personal leave.

Mrs. JONES of Ohio (at the request of Mr. GEPHARDT) for today on account of personal business.

Mr. PETERSON of Pennsylvania (at the request of Mr. ARMEY) for today on account of family 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. BROWN of Ohio) to revise and extend their remarks and include extraneous material:)

Mr. HILL, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mrs. THURMAN, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. HOYER, for 5 minutes, today.

(The following Members (at the request of Mr. NUSSLE) to revise and extend their remarks and include extraneous material:)

Mr. MORAN of Kansas, for 5 minutes, today and June 25.

Mr. PAUL, for 5 minutes, today.

Mr. KELLER, for 5 minutes, today.

Mr. WELDON of Florida, for 5 minutes, June 25.

#### SENATE BILL REFERRED.

A bill of the Senate of the following title was taken from the Speaker's

table and, under the rule, referred as follows:

S. 2594. An act to authorize the Secretary of the Treasury to purchase silver on the open market when the silver stockpile is depleted, to be used to mint coins; to the Committee on Financial Services.

#### ADJOURNMENT

Mr. TANCREDO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 10 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 25, 2002, at 10:30 a.m., for morning hour debates.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7583. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Trifluralin Methyl; Pesticide Tolerance [OPP-2002-082; FRL-7180-8] received June 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7584. A letter from the Under Secretary, Acquisition, Technology and Logistics, Department of Defense, transmitting a report entitled, "Distribution of DoD Depot Maintenance Workloads for Fiscal Years 2002 through 2006"; to the Committee on Armed Services.

7585. A letter from the Under Secretary, Personnel and Readiness, Department of Defense, transmitting the Department's report entitled, "Support for Expanded Child Care Services and Youth Program Services for Dependents"; to the Committee on Armed Services.

7586. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Partnership Agreement Between DoD and the Small Business Administration [DFARS Case 2001-D016] received June 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7587. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Performance of Security Functions [DFARS Case 2001-D018] received June 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7588. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Preference for Local 8(a) Contractors — Base Closure or Realignment [DFARS Case 2001-D007] received June 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7589. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; DoD Pilot Mentor-Protégé Program [DFARS Case 2001-D006] received June 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7590. A letter from the Director, FDIC Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the

Corporation's final rule — Minimum Standards of Integrity and Fitness for an FDIC Contractor (RIN: 3064-AC29) received June 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7591. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Guidelines for the Supervisory Review Committee — received June 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7592. A letter from the Under Secretary, Food, Nutrition and Consumer Services, Department of Agriculture, transmitting the Department's final rule — Amendments to the Child Nutrition Infant Meal Pattern (RIN: 0584-AD26) received June 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7593. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Visible Emissions and Open Fire Amendments [MD062-3087a; FRL-7220-1] received June 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7594. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Great Basin Unified Air Pollution Control District and South Coast Air Quality Management District [CA 207-0336a; FRL-7224-1] received June 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7595. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Consolidated Emissions Reporting [AD-FRL-7223-8] (RIN: 2060-AH25) received June 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7596. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Enhancing Public Participation in NRC Meetings; Policy Statement — received June 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7597. A communication from the President of the United States, transmitting the bi-monthly report on progress toward a negotiated solution of the Cyprus question covering the period April 1, 2002 through May 31, 2002, pursuant to 22 U.S.C. 2373(c); to the Committee on International Relations.

7598. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Memorandum of Justification for a Drawdown under section 506(a)(1) of the Foreign Assistance Act of 1961, as amended to support the Government of Nigeria; to the Committee on International Relations.

7599. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Circular 2001-07; Introduction — received June 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7600. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No. 011218304-1304-01; I.D. 051402B] received June 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7601. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Annual Specifications and Management Measures; Trip Limit Adjustments; Pacific Halibut Fisheries; Corrections [Docket No. 011231309-2090-03; I.D. 042502D] received June 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7602. A letter from the Director, Policy Directives and Instructions Branch, Department of Justice, transmitting the Department's final rule — Adjustment of Status Under Legal Immigration Family Equity (LIFE) Act Legalization Provisions and LIFE Act Amendments Family Unity Provisions [INS No. 2115-01; AG Order No. 2588-2002] (RIN: 1115-AG06) received June 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7603. A letter from the General Counsel, Department of Justice, transmitting the Department's final rule — Protective Orders in Immigration Administrative Proceedings [EOIR 133; AG Order No. 2585-2002] (RIN: 1125-AA38) received June 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7604. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Low-Income Housing Credit — received June 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7605. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Department's final rule — Last-in, First-out Inventories (Rev. Rul. 2002-14) received June 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7606. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Weighted Average Interest Rate Update (Notice 2002-38) received June 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7607. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Rulings and determination letters (Rev. Proc. 2002-35) received June 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 3786. A bill to revise the boundary of the Glen Canyon National Recreation Area in the State of Utah and Arizona; with an amendment (Rept. 107-523). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 2982. A bill to authorize the establishment of a memorial within the area in the District of Columbia referred to in the Commemorative Works Act as "Area I" or "Area II" to the victims of terrorist attacks on the United States, to provide for the design and construction of such a memorial, and for other purposes; with an amendment (Rept. 107-524). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 4477. A bill to amend title 18, United States Code, with respect to crimes involving the transportation of persons and sex tourism; with an amendment (Rept. 107-525). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 4623. A bill to prevent trafficking in child pornography and obscenity, to proscribe pandering and solicitation relating to visual depictions of minors engaging in sexually explicit conduct, to prevent the use of child pornography and obscenity to facilitate crimes against children, and for other purposes; with an amendment (Rept. 107-526). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 4679. A bill to amend title 18, United States Code, to provide a maximum term of supervised release of life for child sex offenders; with amendments (Rept. 107-527). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 4858. A bill to improve access to physicians in medically underserved areas (Rept. 107-528). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. CRANE (for himself, Mr. WEXLER, Mr. ARMEY, Mr. LANTOS, and Mr. SESSIONS):

H.R. 5002. A bill to amend the United States-Israel Free Trade Area Implementation Act of 1985 to allow for the designation of Israeli-Turkish qualifying industrial zones; to the Committee on Ways and Means.

By Mr. NEY (for himself and Mr. HOYER):

H.R. 5003. A bill to direct the Capitol Police Board to take steps to promote the retention of current officers and members of the Capitol Police and the recruitment of new officers and members of the Capitol Police, and for other purposes; to the Committee on House Administration.

By Mr. ACEVEDO-VILA:

H.R. 5004. A bill to amend the Small Business Act to provide additional grants to small business development centers located in high unemployment districts; to the Committee on Small Business.

By Mr. ARMEY (for himself, Mr. HASTERT, Mr. DELAY, Mr. WATTS of Oklahoma, Mr. COX, Ms. PRYCE of Ohio, Mrs. CUBIN, Mr. TOM DAVIS of Virginia, Mr. BLUNT, Mr. PORTMAN, Mr. ADERHOLT, Mr. AKIN, Mr. BALLENGER, Mr. BARR of Georgia, Mr. BASS, Mr. BEREUTER, Mr. BOEHLERT, Mr. BONILLA, Mrs. BONO, Mr. BRADY of Texas, Mr. BROWN of South Carolina, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALVERT, Mr. CAMP, Mr. CANTOR, Mrs. CAPITO, Mr. CASTLE, Mr. CHAMBLISS, Mr. COOKSEY, Mr. CRENSHAW, Mrs. JO ANN DAVIS of Virginia, Mr. DREIER, Mr. DEMINT, Ms. DUNN, Mr. EHRLICH, Mr. ENGLISH, Mr. FERGUSON, Mr. FORBES, Mr. FOSSELLA, Mr. GANSKE, Mr. GEKAS, Mr. GIBBONS, Mr. GILMAN, Mr. GILLMOR, Mr. GOODE, Ms. GRANGER, Mr. GREEN of Wisconsin, Mr. GREENWOOD, Mr. GRUCCI, Mr. HANSEN, Ms. HARMAN, Ms. HART, Mr. HASTINGS of Washington, Mr. HAYES, Mr. HAYWORTH, Mr. HEFLEY, Mr. HERGER, Mr. HOEKSTRA, Mr. HORN, Mr. HOUGHTON, Mr. ISSA, Mr. JENKINS, Mrs. JOHNSON of Connecticut, Mr. KELLER, Mrs. KELLY, Mr. KING, Mr. KOLBE, Mr. LAHOOD, Mr. LINDER, Mr. MCCREY, Mr. MCKEON, Mr. MALONEY of Connecticut, Mr. MANZULLO, Mr. DAN MILLER of Florida, Mr. GARY G.

MILLER of California, Mrs. MORELLA, Mrs. MYRICK, Mr. NUSSLE, Mr. OSBORNE, Mr. OXLEY, Mr. PICKERING, Mr. PITTS, Mr. PUTNAM, Mr. REHBERG, Mr. ROHRBACHER, Mr. ROYCE, Mrs. ROUKEMA, Mr. RYUN of Kansas, Mr. SAXTON, Mr. SCHROCK, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHAW, Mr. SHAYS, Mr. SHERWOOD, Mr. SIMPSON, Mr. SKEEN, Mr. SOUDER, Mr. SWEENEY, Mr. TANCREDO, Mr. TAUZIN, Mr. THORNBERRY, Mr. TIBERI, Mr. UPTON, Mr. SHIMKUS, Mr. WALDEN of Oregon, Mr. WAMP, Mr. WELDON of Pennsylvania, Mr. WELLER, Mr. WHITFIELD, Mr. WICKER, Mrs. WILSON of New Mexico, and Mr. WILSON of South Carolina) (all by request):

H.R. 5005. A bill to establish the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Agriculture, Appropriations, Armed Services, Energy and Commerce, Financial Services, Government Reform, Intelligence (Permanent Select), International Relations, the Judiciary, Science, Transportation and Infrastructure, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING:

H.R. 5006. A bill to amend the Professional Boxing Safety Act of 1996, and to establish the United States Boxing Administration; to the Committee on Education and the Workforce, 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. LANGEVIN (for himself, Mr. NEY, and Mr. HOYER):

H.R. 5007. A bill to direct the Comptroller General to enter into arrangements with the National Academy of Sciences and the Librarian of Congress for conducting a study on the feasibility and costs of implementing an emergency electronic communications system for Congress to ensure the continuity of the operations of Congress during an emergency, and for other purposes; to the Committee on House Administration.

By Mr. POMEROY:

H.R. 5008. A bill to amend the Internal Revenue Code of 1986 to limit the applicability of the estate tax to estates of over \$3,500,000, and for other purposes; to the Committee on Ways and Means.

By Mr. WALDEN of Oregon:

H.R. 5009. A bill to direct the Secretary of the Interior to convey certain land to the city of Haines, Oregon; to the Committee on Resources.

By Ms. VELAZQUEZ (for herself, Mr. MANZULLO, Mr. TOOMEY, Ms. MILLENDER-MCDONALD, Mr. DEMINT, Mr. PASCRELL, Mr. THUNE, Mr. BRADY of Pennsylvania, Mr. PENCE, Mr. UDALL of New Mexico, Mr. COMBEST, Mr. HEFLEY, Mr. DAVIS of Illinois, Mr. BARTLETT of Maryland, Mrs. CHRISTENSEN, Mr. LOBIONDO, Mrs. JONES of Ohio, Mrs. KELLY, Mr. GONZALEZ, Mr. CHABOT, Mr. PHELPS, Mr. FERGUSON, Mr. LANGEVIN, Mr. ISSA, Mr. BAIRD, Mr. GRAVES, Mrs. NAPOLITANO, Mr. SCHROCK, Mr. UDALL of Colorado, Mr. GRUCCI, Mr. ACEVEDO-VILA, Mr. AKIN, Mr. CARSON of Oklahoma, Mrs. CAPITO, Mr. ROSS, and Mr. SHUSTER):

H. Con. Res. 424. Concurrent resolution commending the patriotic contributions of the roofing professionals who replaced, at no cost to the Federal Government, the section

of the Pentagon's slate roof that was destroyed as a result of the terrorist attacks against the United States that occurred on September 11, 2001; to the Committee on Government Reform.

By Mr. CLAY (for himself, Mr. SHIMKUS, Mr. GEPHARDT, Mrs. EMERSON, Mr. SKELTON, Ms. MCCARTHY of Missouri, Mr. GRAVES, Mr. BLUNT, Mr. AKIN, Mr. HULSHOF, Mr. JOHNSON of Illinois, Mr. BOSWELL, Mr. BOOZMAN, Mr. COSTELLO, Mr. PHELPS, Mr. ROSS, Mr. SNYDER, Mr. EVANS, Mr. LAHOOD, Mr. BERRY, Mr. LEACH, and Mr. NUSSLE):

H. Res. 455. A resolution honoring the life of John Francis "Jack" Buck; to the Committee on Government Reform.

By Mr. MALONEY of Connecticut:

H. Res. 456. A resolution providing for consideration of the bill (H.R. 3884) to amend the Internal Revenue Code of 1986 to prevent corporations from avoiding the United States income tax by reincorporating in a foreign country; to the Committee on Rules.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 184: Mr. MCGOVERN.  
 H.R. 218: Mr. MORAN of Kansas  
 H.R. 356: Mr. HAYES.  
 H.R. 602: Mr. GIBBONS.  
 H.R. 609: Ms. WATSON.  
 H.R. 831: Mr. JONES of North Carolina, Mr. JOHN, and Mr. GIBBONS.  
 H.R. 854: Mr. LARSON of Connecticut and Mr. SMITH of Texas.  
 H.R. 952: Mr. HASTINGS of Florida.  
 H.R. 1090: Mr. BALDACCI, Mrs. CAPPS, Mr. NETHERCUTT, Mr. BAIRD, Mr. DAVIS of Illinois, and Mr. TURNER.  
 H.R. 1097: Mr. BAIRD, Mr. CONYERS, and Mr. DEUTSCH.  
 H.R. 1111: Mr. OWENS.  
 H.R. 2001: Mr. SANDERS, Mr. STARK, Ms. DELAURO, and Mr. HASTINGS of Florida.  
 H.R. 1324: Mr. PRICE of North Carolina.  
 H.R. 1351: Mr. CARSON of Oklahoma.  
 H.R. 1433: Mr. DEFazio.  
 H.R. 1460: Mr. SULLIVAN.  
 H.R. 1470: Mr. BONIOR.  
 H.R. 1897: Mr. STENHOLM.  
 H.R. 1950: Mr. NORWOOD.  
 H.R. 2063: Mr. BECERRA, Mr. CARDIN, and Mr. LEWIS of Georgia.  
 H.R. 2082: Mr. KIND.  
 H.R. 2117: Mr. NADLER, Mr. BECERRA, Mr. HULSHOF, and Mr. SMITH of Washington.  
 H.R. 2649: Mr. BARR of Georgia, Mr. HOBSON, Mr. PETRI, Mr. COLLINS, and Mr. HEFLEY.  
 H.R. 2740: Mr. BARRETT.  
 H.R. 3058: Mrs. MCCARTHY of New York, Mr. KIRK, and Mr. SCHIFF.  
 H.R. 3450: Mr. BACA and Mr. RODRIGUEZ.  
 H.R. 3572: Mr. WHITFIELD, Mr. BOUCHER, Mr. FROST, Mr. UNDERWOOD, and Mr. SANDERS.  
 H.R. 3626: Mr. PICKERING.  
 H.R. 3733: Mr. SANDLIN.  
 H.R. 3777: Mr. WATT of North Carolina.  
 H.R. 3884: Mr. TAYLOR of Mississippi, Ms. PELOSI, Mr. KING, and Mr. COYNE.  
 H.R. 3911: Ms. PRYCE of Ohio.  
 H.R. 3930: Mr. LINDER, Mr. UDALL of Colorado, Mrs. MEEK of Florida, Ms. SOLIS, Mr. GREEN of Texas, and Mr. GORDON.  
 H.R. 3973: Mr. WOLF.  
 H.R. 3992: Mr. SHAW.  
 H.R. 4012: Mr. OSBORNE.  
 H.R. 4018: Mr. SANDLIN.  
 H.R. 4037: Mr. SMITH of New Jersey.  
 H.R. 4046: Ms. WOOLSEY.  
 H.R. 4061: Mrs. CHRISTENSEN, Mr. MORAN of Virginia, Mr. FRANK, Mr. DEUTSCH, and Mr. ENGEL.

- H.R. 4066: Mr. QUINN.  
H.R. 4123: Mr. DAVIS of Illinois and Mr. CLAY.  
H.R. 4194: Mr. PAYNE and Ms. NORTON.  
H.R. 4477: Mr. FLAKE and Mr. WAMP.  
H.R. 4515: Mr. STUPAK.  
H.R. 4611: Ms. ESHOO, Mr. STARK, Ms. CARSON of Indiana, and Ms. DEGETTE.  
H.R. 4644: Mr. LANTOS, Mr. LIPINSKI, Mr. MCNULTY, and Mr. WYNN.  
H.R. 4654: Mr. MARKEY and Mr. WAXMAN.  
H.R. 4655: Mr. DINGELL.  
H.R. 4668: Mr. GOODE, Mr. PAYNE, Mr. BAIRD, Mr. HONDA, Mr. FILNER, Ms. ESHOO, Mr. CALVERT, Mr. BALDACCI, and Mr. MCINNIS.  
H.R. 4691: Mr. AKIN, Mr. FERGUSON, Mr. HALL of Texas, Mr. SHOWS, Mr. DOOLITTLE, Mr. MURTHA, and Mr. KERNS.  
H.R. 4709: Mr. MORAN of Virginia.  
H.R. 4720: Mr. CALVERT, Mr. BOUCHER, Mr. HOEFFFEL, and Mr. DUNCAN.  
H.R. 4741: Mr. PICKERING.  
H.R. 4757: Mr. CUMMINGS and Mr. THOMPSON of Mississippi.  
H.R. 4778: Mr. SCOTT.  
H.R. 4795: Mr. MCHUGH.  
H.R. 4858: Ms. JACKSON-LEE of Texas.  
H.R. 4894: Ms. DEGETTE, Mr. SCOTT, Ms. MCCOLLUM, Mr. RUSH, and Mr. PLATTS.  
H.R. 4937: Ms. NORTON and Mr. DAVIS of Illinois.  
H.R. 4939: Mr. PLATTS and Mr. GOODE.  
H.R. 4963: Mr. FROST, Ms. WOOLSEY, Mr. FRANK, Mr. LIPINSKI, and Ms. SCHAKOWSKY.  
H.R. 4964: Mr. BROWN of Ohio.  
H.R. 4967: Mr. HINOJOSA.  
H.R. 4972: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. UDALL of New Mexico, Mr. RODRIGUEZ, Mr. MCDERMOTT, Ms. SCHAKOWSKY, Mr. RANGEL, and Mr. CAPUANO.  
H.R. 4993: Ms. HOOLEY of Oregon.  
H.J. Res. 92: Ms. CARSON of Indiana, Mr. MCGOVERN, Mr. LANTOS, Mr. MEEKS of New York, and Mr. BRADY of Pennsylvania.  
H.J. Res. 95: Mr. JONES of North Carolina and Mr. MCINNIS.  
H. Con. Res. 38: Mr. PAYNE and Ms. WOOLSEY.  
H. Con. Res. 164: Mr. DREIER.  
H. Con. Res. 345: Mr. DREIER.  
H. Con. Res. 404: Mr. DAVIS of Illinois, Ms. WATERS, and Ms. SCHAKOWSKY.  
H. Con. Res. 408: Ms. MCCOLLUM, Mr. BOEHLERT, Mr. FILNER, and Mr. SCHROCK.  
H. Con. Res. 413: Mr. PASTOR.  
H. Con. Res. 420: Mr. KERNS.  
H. Res. 295: Mrs. CLAYTON.  
H. Res. 454: Mr. CROWLEY.