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.

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

MORNING HOUR DEBATES

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

The Chair recognizes the gentleman from 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 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 that I think will 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 senior has a guaranteed prescription drug benefit, that 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
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 the prescription drug issue, recently 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 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 administration in 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 as Republicans are providing has the same prototype. I think the contrast he makes is valid, only in that he wants the government to manage 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 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 Republicans. The benefit is much in these bills to applaud. We have addressed shortfalls in payments to hospitals and incorrect formulas in reimbursing physicians. However, most significantly 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 the 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 an automatically funded 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 government can work at what they would be “what seniors are used to, are entitled to, is what’s fair.” It is three times the program the Republicans have proposed.

I disagree and I dare say the senators 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, 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 bill that would be 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 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 role in health care. Our seniors and disabled 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 1, 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.

June 24, 2002
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.

ABSENT AND PARDONED
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. 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 Speaker recognizes the gentleman from Utah (Mr. Cannon).

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

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 recaptured 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
Public Land Order 3422, dated August 21, 1964, is revoked insofar as it applies to the following described lands: San Bernardino Meridian, T1S, R22E, sec. 6, all of lots 1, 16, and 17, and SE 1/4 of SW 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 file a map showing the boundaries of the refuge.

The Speaker pro tempore. Pursuant to the rule, 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.)

Mr. Cannon. Mr. Speaker, as stated by the previous speaker, my colleague, the overall purpose of the bill before the House is to resolve a longstanding 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. GILCHREST), 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 a 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, which I would like to express my support for. I have a number of concerns about the present permit for Walter’s Camp, 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 family-friendly outdoors experience, which includes camping, hiking, canoeing, fishing, birdwatching 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 nor 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 unbeknownst 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 memorandum. 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 recommendation 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 was taken.

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 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 map of the current park 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.)

Mr. CANNON. 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. Pursuant to clause 8 of rule XX and the Chair’s prior announcement, further proceedings on this motion will be postponed.

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-180, 1967” 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 lands offered 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 lands offered 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 gentleman’s prior announcement, further proceedings on this motion will be postponed.

The Chair recognizes 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 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 uses and activities within the park.

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.

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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 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 investigation 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 Forest Service.

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 bring to 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 occurred 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, these 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 our homes, our communities, and our lives.

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, and at 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.

Fighting wildfires is 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.

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 Government’s efforts 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 investigation of what went wrong will help provide information on how similar events can be prevented in the future and how firefighters can better be protected and prepared 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 the 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, and 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 M. Santars, 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. D. 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. ISAACKSON) at 6:00 o'clock and 2 minutes p.m.

### NEW RIVER GORGE BOUNDARY ACT OF 2002

The Speaker pro tempore. The Speaker pro tempore.

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

### 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 reads as follows:

H. CON. RES. 416

Wheresas 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;

Wheresas the Navy League has more than 770,000 active members;

Wheresas 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;

Wheresas 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;

Wheresas 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 youth programs;

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

Wheresas 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 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. 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 League of the United States Navy 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, the 100th year of the League in 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.
The Navy League works closely with the Navy, Marine Corps, Coast Guard, and Merchant Mariners 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 that 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 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 our 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 varied coast. They also support and co-founded the community’s annual military appreciation month, which active and retired 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.

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 the valor of those who have 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; 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 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.

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

"3903. Designation of Medal of Honor Flag.

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

(a) ARMY.—(1) Chapter 557 of title 10, United States Code, is amended by adding at the end the following new section:


"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 for acts of personal bravery or self-sacrifice above and beyond the call of duty. The Secretary of the Army shall (1) preserve the flag designated under section 903 of title 36 for presentation to the President for each of the purposes provided under sections 3741 and 3752(a) of this title; and (2) provide for the presentation of the flag designated under section 903 of title 36 when the President is unable to present the flag for such purposes.

"(b) NAVY AND MARINE CORPS.—(1) Chapter 567 of title 10, United States Code, is amended by adding at the end the following new section:


"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.

"(c) Table of sections.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:


"(d) SHORT TITLE.—Chapter 577 of title 10, United States Code, is amended by adding at the end the following new section:


"(e) Flag.—The flag designated under section 903 of title 36 shall be the "Medal of Honor Flag."
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:

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8755. Medal of honor: presentation of Medal of Honor Flag
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(3) Air Force—(1) Chapter 857 of title 10, United States Code, is amended by adding at the end the following new section:

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§ 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 9741 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 9741 or 8752(a) of this title."
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(4) Coast Guard—(1) Chapter 13 of title 14, United States Code, is amended by inserting after section 504 the following new section:

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§ 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 941 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 941 or 498 of this title."
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The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia (Mr. SCHROCK) and the gentleman from California (Mrs. DAVIS) to each will control 20 minutes.

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 from Iowa is reminded not to refer to visitors in the gallery.

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: the accounts of gallantry, at selfless moral 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, landmen and marines as shall distinguish themselves by their gallantry in action and other seamanship 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.

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 3,439 separate acts of heroism performed by 3,349 individuals, including 9 of which were unknown; and today there are 143 living recipients of the Medal of Honor.

Mr. Speaker, I want to honor Medal of Honor recipients of the Medal of Honor. This design is somehow a 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 the extension of what has been 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.

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 authorize 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, landmen, 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 3,439 separate acts of heroism performed by 3,349 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 committee is to ensure that we have 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 and have always felt that we have an obligation 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, to 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 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 deserve 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 honor that is bestowed upon 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 do 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 so many have performed above and beyond the call of duty. An official flag to be presented to those individuals who have performed acts of bravery or self-sacrifice above and beyond the call of duty. An official flag to be presented to those individuals who serve our Nation.

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 to confront this ignominious 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 incontestable 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 each 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. NUSSELLE. Mr. Speaker, I would like to offer my voice of support for House Joint Resolution 85, 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. Pursuant to clause 2 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 2 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. 3971, by the yeas and nays; and H. R. 3786, by the yeas and nays; and House Joint Resolution 95, by the yeas and nays.

The Chair will reduce to 5 minutes for the time 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. 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.

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

[[Roll No. 249] YEAS—375]

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ACKERMAN, M. **Abercrombie**

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ACKERMAN, M. **Abercrombie**
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.

Stated for: Mr. JOHNSON of Illinois. Mr. Speaker, on rollcall No. 250 I was inadvertently detained. Had I been present, I would have voted "yea."

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

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3971.

The Clerk read the title of the bill.

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.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 377, nays 0, not voting 57, as follows:

[Roll No. 251]

YEA—377

[Names of Members]

NAY—0

[Names of Members]

NOT VOTING—60

[Names of Members]
Speaker, on rollcall 251, I was detained as above recorded. The result of the vote was announced as above recorded.

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.

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

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 (rollcall No. 252).

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. 3937, I would have voted “yea”; on agreement to H.R. 3937, I would have voted “yea.”

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, personal business prevents me from voting present for legislative business scheduled for today, Monday, June 24, 2002. Had I been present, I would have voted “yea” on the following roll-call 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 for presentation of that flag to recipients of the medal of honor (rollcall No. 252).
I request that the Congressional Record reflect that had I been present and voting, I would have voted "yea" on rollover No. 249, "yea" on rollover No. 250, "yea" on rollover No. 251, and "yea" on rollover No. 252.

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

The SPEAKER pro tempore (Mr. DeFazio). 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. Vallas, Houston, Texas. There was no objection.

PERSONAL EXPLANATION

Mr. CROWLEY. Mr. Speaker, on Monday, June 17, I was absent for three rolcall votes. If I had been here, I would have voted yes on rollover vote 230, yes on rollover vote 231 and yes on rollover 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 Extentions of Remarks.)

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.

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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 Kim Dryden. 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 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. Then you realize to make sure the facts are right, to present often-complicated things in an understandable fashion.”

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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 into 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 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 administered 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 price 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, the Grand Old Party of 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 to require the same coverage in the Republican bill with the same coverage offered to Members of Congress.

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 to markup 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, it is wrong by the fact that 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 it will use 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.Listing costs are touch 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. Listed to that again. Glaxo-Wellcome, Britiain’s largest 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. KEEN). 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 Research and 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 that occurred last year. The bill would authorize the Board to pay a certain amount for each of the next five years for officers taking courses on their own time leading to a degree in law-enforcement field, and authorizes bonuses upon completion of such courses, to give officers new opportunities for professional improvement.

For Congress, it will create a more educated and prepared police force, encouraging the entire agency to become recruiters. It allows the Board to temporarily extend the mandatory retirement age 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. It would allow officers to cross-train for specialty assignments, and generally utilize all 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. It does not impose any new cost on the Capitol Police, 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 joining 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 for 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 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 is 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 why 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 every senior, every veteran, 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 program is very much modelled on the right 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, 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 they cannot interfere in any way and try to reduce costs or reduce prices.

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. BROWN of Ohio. 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. PALLONE. 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, the Republican prescription drug plan sets up 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 prescription drug 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 $150 deductible. The Republican plan, again, leaves the premium costs to seniors, 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 copay for 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 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 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, $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 companies pumped literally 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 program. And in support of what corporate interests, what drug companies wanted. As an example, I had an amendment that no Member of Congress should get a better benefit than senior citizens; senior citizens have a 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, are 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 gentlewoman from California (Mrs. CAPPS), also were voted down by the Republican majority because the drug companies did not want them. Anyone sit down and, and then take 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 issue they 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. taxes to help fund development, and the drug companies turn around with their Republican friends in Congress and continue to stick it to the American public.

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 left 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 this country.

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 the State of 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 that if that were to happen, so 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 make a profit, whether it is money for research, whether it is the patent exclusivity that they get, or the advertising break that they get through the Internal Revenue Code, and there are many 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 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 is to pass through the price issues. 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 talks with 40 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 between 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 we have this 5 percent carve-out language 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 trying 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 today. 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 one of hospitalization. It meant hospitalization in a great many respects. Nowadays, though, fast forwarding 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 trust in their Medicare wrap insurance, I think things of that nature through a private insurer, find out those insurers are few and far between, and the cost is prohibitive. 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 and $2,520 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 reason why 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 type of negotiations 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 who do not have a voice and do not have a choice. There is a reason why 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 then 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) and also the gentleman from New Jersey (Mr. Lynch) and also the gentleman from Massachusetts (Mr. Lynch) 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 from 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. FALLONE. 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.

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 the amendment 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 veterans 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 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 doctors' 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 because the life expectancy diminishes to that because what we are seeing is that the life expectancy diminishes when they are not able to get the drugs.

I yielded 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 gentleman, first of all, as I listened to my colleague from Texas, I saw that also well as 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 something 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 this situation 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 have 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; and include a prescription drug benefit. 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 drug benefits is that that is 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 definite 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 these 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 could under Medicare give 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 industry recognize that the increased 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 experience 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 revision 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.

If the point 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 benefit, the 80 percent Medicare benefit. 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 unanimity on the substitute that I believe offers to all of us a real chance to make a difference on prescription drug benefits.

Mr. ROSS. Mr. PALLONE. I want to thank the gentlewoman not only for what the gentlewoman from Texas said about the drug research and the increased utilization, because that was so important. We hear the pharmaceuticals say, 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 prescription drug benefit. I want to make sure that they clearly understand that I am a conservative Democrat. 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.

That is why I am proud to rise tonight in opposition to this produg manufacturer prescription drug bill which does not get the prescription drug and ends up being hospitalized.

Mr. ROSS. Thank you. It seems like every week we are 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.

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.

That is why I am proud to rise tonight in opposition to this produg manufacturer prescription drug bill which does not get the prescription drug and ends up being hospitalized.
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 how hard it is to choose between their medication 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 like being hungry.

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 receiving a surgery that they 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 and 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 told me that her 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 $35.

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 get to work. It is time for 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 I am 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 PhRMA, “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 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 13, 2002.

In the midst of the Republicans pushing up this so-called prescription 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. The Washington Post, June 18, 2002. Senator Grassley joined in the 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 senior plan truly provides our seniors with 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, the quotes, 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 for evil purposes. I mean, whether they be Republican or Democrat, they are not elected here, and they do not come here for evil purposes. 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 is behind this Republicain ad 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 hap- pening is that the Federation of Republican Congressmen 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 that they want to hurt people; they just are doing it because they are getting the money from the special interests.

Mr. ROSS. Mr. Speaker, if the gentle- man will yield, if the gentleman re- calls, he was here on the fundraising 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 misin- formed.

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 wel- come, I encourage my colleagues on the other side of the aisle to call seniors in this house and everybody in this country, 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 Medi- care 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 di- rect result of the drug manufacturers. I just think they are misconstrued, I think they are well-intentioned. I think they are well-intentioned. I think they are good folks; they love this country like we do. This just hap- pens to be an issue that they do not un- derstand. Seniors cannot afford a quar- ter of a million-dollar ticket to get into a fundraiser in the middle of writ- ing a bill. So I would ask them to put politics aside, get on the phone and call seniors, call your hometown family pharmacy, pharmacists, talk to them about the Republican bill and the Democratic bill, again, the drug manufac- turer bill versus the seniors’ bill that will truly modernize Medicare for our seniors.

Mr. PALLONE. Mr. Speaker, I thank the gentle- man from Arkansas, and I appreciate the fact that the gentleman from Washington is here, and I apolo- gize. I think there is about 7 minutes left, and I yield to the gentleman.

Mr. MCDERMOTT. Mr. Speaker, I ap- preciate the gentleman yielding to me. I think that this is an issue where the question is that if I were sitting out there, I listen to what these people are say- ing, and I understand what they are saying, and I understand what they mean, and I understand what they are trying to do. This is not an issue that they do not un- derstand. This is an issue that they will pas- s on to their constituents, and they will ask them what they think, and they will tell them what they think.

Mr. Speaker, when one goes into a pharmacy, the community health plans and the other side of the aisle to call seniors and tell them that the Republican plan apart and ask themselves, why in the world are the Republicans putting forward some- thing 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 coun- try 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 pre- scription 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 10 and behold, it was hollow and filled with Greek soldiers who took over and captured and de- stroyed Troy.

Now, that is what this whole issue of pharmaceuticals is about. The Repub- licans 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 bureaus. Right now we have one bureau; it used to be called HCFA, the Health Care Financ- ing Administration. They have changed that, they call it CMS now, whatever that is; and they have that over there for the fee-for-services. Then they cre- ate 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.

They separate the two and they give these two agencies the responsibility of managing competing ways of deliver- ing 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 and 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 public-private 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 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 too sick and peo- ple who are not 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 children or a parent. When your mother 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 people well. Over the last 10 years, we have tried to get people to go into managed care. People went into man- aged care. What happens to them? They close down the program. We have had millions of people lose their bene- fits 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 ben- efit and have it closed down, and then they have to look around for some- body 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 destroy- ing Medicare for 35 years, and they are doing it today. Mr. Speaker, that is, 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 know- ing 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 medica- tion.

My mother lives on a small Social Security pension. That is all she has. She has got three boys and one girl. We 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. KENNY), 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 hate the Republicans are out to destroy Medicare, been bought off by the drug companies, went to expensive banquet. 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 company. 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 $550 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. 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 why we have to do this and then have to pay for it, I might 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 saying that they are changing. 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 its 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 think about this a little bit to today, I not long ago visited with one of the chief lobbyists with the entertainment industry. He began to tell me what a bad bill this was. I had not read it yet. He said not to 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 much progress 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 the bill 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 decided 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 if 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.

The court has decided that 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 this 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 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, primarily. There are 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.

And on the other hand if you think about it, if you see material that glories or glorifies 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, 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 molestes admitted to regular use of hard-core pornography. Roughly 80 percent. When you talk about people being sexually aggressive, attacking you, that 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.

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 to some young person who is trying to do a research project on old 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 with this material 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.”

And AT&T, as most everyone listening knows, 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 that I was aware of. 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, we must recognize that we cannot protect our 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. Certainly, turn off the dial, tell 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 is the press.” The average person nowadays, if they have become 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 sexually 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 we have said are not curable. 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 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 to the public.” 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 arousing 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 many courts 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 the average person, we have not spoken out, we have not taken obscene material to court. We certainly have become desensitized, and we continue to support companies who support obscene material through advertising, such as AT&T.

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 we consider what 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 thing 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 decay 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. If we 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 what happens to 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. The nation 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. Anything 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 juncture. 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 pluralistic, is as pluralistic and 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? If we look at 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. Kerans). 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 remember, as we cast our votes in 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 knew him, and I am proud that he served 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 my view, that 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 a number of 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 spoken, 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 prolif- erate 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 reasonable, 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 area 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.

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 forever, 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 another 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 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 details, and I do not care about the 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 keep 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 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 do something about these costs, and I do not think any bureaucrat has the slightest idea how much we should pay for it. 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. 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. 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. 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. 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. 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. 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. 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. 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. Healthcare costs are real, 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 increased beyond their ability, 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: We give everybody eligible for Medicare that 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 me 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 let them then 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 it would 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 tell me 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 I am concerned about, 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 them, and that is why I am on this 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 wholenessomeness of the drug. But right now, at least, if the drugs were that much cheaper, we will pay for it all. That is nice to say. It sounds so wonderful. And it will gain 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.

Mr. Speaker, I want to go on to another issue tonight, and that is the fact that what we have created in the State of Colorado is experiencing something I know other States in the Nation, especially Arizona are experiencing tonight, the ravages of wildfires. And I must say that 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 raging, and that matter is 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 a lot to do with the point in time when 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, area but all across the Nation 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 it had to do with 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, 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 continue to fight the fires 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 what 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 quandary, 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 to stop the Forest Service from actually managing forests. Those two things have kind of created 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, worse by far worse by far 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 reported on one of three forests in America is dead or dying, this after how many years of environmental impact statements, literally hundreds of steps 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 are 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 timber harvesting 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 furry 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 effect of our actions, one of the foundations 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 do our work, to do our job, 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.”

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 a forested area 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 Thennwood 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, 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.

We have had 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 water. 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 the fire, 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. And any other forest fire, 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 area. Of course, this year in Colorado.

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, I go up that mountain. 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 prized 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 described by the EPA. That does not count. We cannot 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 procedure 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 severly. We have to change all this. 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 special interest, 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 has to come 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 still take the next year 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. 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 unfashionable, be it that we are 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, particularly 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 thousands of years. At one point in history, we were strong and subsidized 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 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 war 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 and those who try to 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. There are 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 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.

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. This 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 the American civilization; it is the 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 the 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 time. In order to do so, 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 will make them stop. 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-à-vis other countries, how they actually kind of rate our system and our society versus other societies, it is disheartening to 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, and believe in Western civilization, 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 of civilizations.

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 not a massive immigration 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 East, 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: live as a gay atheist in Fargo, North Dakota, or live 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-egalitarian culture the teaching assistant wishes to consult. This is great stuff. “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 stricture is a sham. Galileo was oppressed by the 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 cohabiting 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 Internet 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. It is not just a threat to our 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: GECHEILA (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.

Mr. THURman, for 5 minutes, today.

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

Mr. Hoyter, for 5 minutes, today.

(The following Members (at the request of Mr. Nussile) 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
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 sexual exploitation of minors engaging in sexually explicit conduct, to prevent the use of child pornography and obscenity to facilitate crimes against children, and for other purposes; to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 6858. A bill to improve access to physicians in medically underserved areas (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. 107-527). 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. NISSLE). 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 States-Israel Free Trade Area Implementation Act of 1985 to allow for the designation of Israeli-Turkish qualifying industrial zones; to the Committee on House Administration.

By Mr. ACVEVEDO-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 Georgia, Mr. TOM DAVIS of Virginia, Mr. BLUNT, Mr. POSTMAN, Mr. ADERHOLT, Mr. AKIN, Mr. BALLINGER, Mr. BARR of Georgia, Mr. BTECHER, Mr. BOZELL, Mr. BONILLA, Mrs. BONO, Mr. BRADY of Texas, Mr. BROWN of South Carolina, Mr. BURTON of Indiana, Mr. BUSH, Mr. CALVERT, Mr. CAMP, Mr. CANTOR, Mrs. CAPITO, Mr. CASTLE, Mr. CHAMBLISS, Mr. COOKSEY, Mr. CRUSE, Mr. JOHNSON of Virginia, Mr. DUNN, Mr. EBELICH, Mr. ENGLISH, Mr. FERGUSON, Mr. FORBES, Mr. FUSSELLA, Mr. GANSKE, Mr. GEKAS, Mr. GIBBONS, Mr. GILMAN, Mr. GILLMOR, Mr. GOODE, Mr. GRANGER, Mr. GREEN of Wisconsin, Mr. GREENWOOD, Mr. GRUCCI, Mr. HANSEN, Mr. HARMS, Ms. HART, Mr. HASTINOS of Washington, Mr. HAYES, Mr. HAYWORTH, Mr. HEPFLE, Mr. HERGER, Mr. HOKENSTRA, Mr. HORN, Mr. HOUCHTOMBS, Mr. HOPPER, Mr. HUNT, Mrs. JOHNSON of Connecticut, Mr. KELLER, Mrs. KELLY, Mr. KING, Mr. KOLJE, Mr. LAHOOD, Mr. LINDS, Mr. MARTIN, Mr. MCKINNON, Mr. MCKINZIE, Mr. MCLAREN of Connecticut, Mr. MANZULLO, Mr. DAN MILLER of Florida, Mr. GARY G. MILLER of California, Mrs. MORELLA, Mrs. MYRICK, Mr. NUSSE, Mr. OSBORNE, Mr. OXLEY, Mr. PICKERING, Mr. PITTS, Mr. PUTNAM, Mr. REBBENS, Mr. RENO, Mr. ROYCE, Mrs. ROUKEMA, Mr. RYUN of Kansas, Mr. SAXTON, Mr. SCHROCK, Mr. SENSENBRENNER, Mr. SEISSONS, Mr. SHERWOOD, Mr. SIMPSON, Mr. SKINNER, Mr. SOUDER, Mr. SWEENY, Mr. TANCREDO, Mr. TAUCIN, Mr. THORNBERY, Mr. TIBERI, Mr. TULIS, Mr. WALDEN of Oregon, Mr. WAMP, Mr. WELDON of Pennsylvania, Mr. WELLER, Mr. WRIGHTFELD, Mr. WICKER, Mrs. WILSON of Florida, 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 Office of the Administrator, 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. LANGVIN (for himself, Mr. NUSSE, 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 estate taxes of over $5,500,000 to the Federal Government, the section 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. HULSFHOF, 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. NUSSEL):

H. Res. 455. A resolution honoring the life of Joseph Francis ‘‘Jack’’ Butts; 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. 1178: Mr. WATSON.

H.R. 831: Mr. JONES of North Carolina, Mr. JOHNS, 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, Ms. CAPPS, Mr. NADERCUTT, Mr. BIRD, Mr. DAVIS of Illinois, and Mr. TURNER.

H.R. 1097: Mr. BIRD, Mr. CONYERS, and Mr. DEUTSCH.

H.R. 1111: Mr. OWENS.

H.R. 2001: Mr. SANDERS, Mr. STARK, Ms. DELAURCO, 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. 1478: Mr. BONIO.

H.R. 1897: Mr. STENHOLM.

H.R. 1950: Mr. NORWOOD.

H.R. 2063: Mr. BUCIRRA, Mr. CARON, and Mr. LEWIS of Georgia.

H.R. 2082: Mr. KIND.

H.R. 2117: Mr. NADLER, Mr. BUCIRRA, Mr. HULSFHOF, and Mr. SMITH.

H.R. 2649: Mr. BARR of Georgia, Mr. HOBSON, Mr. PETRI, Mr. COLLINS, and Mr. HEPFLE.

H.R. 2740: Mr. BARRETT.

H.R. 3058: Ms. MCCARTHY of New York, Mr. KINK, and Mr. SCHIFF.

H.R. 3450: Mr. BACCA and Mr. RODRIGUEZ.

H.R. 3572: Mr. WHTFIELD, Mr. BOUCHER, Mr. FROST, Mr. UNDERWOOD, and Mr. SANDERS.

H.R. 3626: Mr. PICKERING.

H.R. 3752: Mr. SANDE.

H.R. 3777: Mr. WATT of North Carolina.

H.R. 3884: Mr. TAYLOR of Mississippi.

H.R. 3981: Mr. KING, and Mr. COYNE.

H.R. 3981: Ms. PESCACE of Ohio.

H.R. 3990: Mr. LINDER, Mr. UDALL of Colorado, Mrs. MEEK of Florida, Ms. SOLIS, Mr. GREEN of Texas, and Mr. GORDON.

H.R. 3975: Mr. WOLF.

H.R. 3992: Mr. SHAW.

H.R. 4012: Mr. OSBORNE.

H.R. 4018: Mr. SANDLING.

H.R. 4037: Mr. SMITH of New Jersey.

H.R. 4037: Mr. SMITH of New Jersey.

H.R. 4061: Mr. BUCKLEY.

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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. McNINNIS.
H.R. 4691: Mr. AKIN, Mr. FERGUSON, Mr. HALL of Texas, Mr. SHOWS, Mr. DOOLITTLE, Mr. MURTHA, and Mr. KERNS.
H.R. 4799: Mr. MORAN of Virginia.

H.R. 4720: Mr. CALVERT, Mr. BOUCHER, Mr. HOEFFEL, 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. 4783: 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. 4907: 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. MERKS of New York, and Mr. BRADY of Pennsylvania.
H.J. Res. 95: Mr. JONES of North Carolina and Mr. McNINNIS.
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. BOEHLENT, 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.
The Senate met at 3 p.m. and was called to order by the Honorable BLANCHE L. LINCOLN, a Senator from the State of Arkansas.

PRAYER
The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:
Almighty God, Sovereign of this Nation, we press on with the work of the Senate in this final week before the Independence Day recess. Be with us, Lord, so we can maximize the hours of this day. Help us to think clearly without confusion, to speak honestly without rancor, to debate without division, and to decide courageously without contention. May our rhetoric honor You and deal with issues and not personalities. Grant the Senators Your grace to finish this week as patriots who love You and count it a high privilege to serve as leaders of our beloved Nation.

Lord, we ask for Your protection for the people in Colorado and Arizona who are victims of conflagration on the forests, now consuming homes and entire towns. Bless the courageous firefighters as they seek to bring this fire under control. We trust this and all our need to You. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE
The Honorable BLANCHE L. LINCOLN, a Senator from the State of Arkansas, led the Pledge of Allegiance as follows:
I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE
The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,  
WASHINGTON, DC, June 24, 2002.

To the Senate:

Under the provisions of rule 1, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BLANCHE L. LINCOLN, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mrs. LINCOLN thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 4 p.m., with Senators permitted to speak therein for up to 10 minutes each, and with the time to be equally divided between the two leaders or their designees.

The Senator from Nevada.

SCHEDULE

Mr. REID. Madam President, when we complete morning business, we will proceed to the Defense authorization bill, which the Senate worked on all last week. Senator SMITH is going to offer an amendment regarding headgear, abaya. We expect a vote on that about quarter to 6 today.

THE FEDERAL GOVERNMENT

Mr. REID. Madam President, I listened closely, as I try to do every day, to the Chaplain’s prayer. He mentioned the terrible fires in the West, which brings to my attention the fact that when there is trouble in the country, the place one has to look is to the Government. After one has completed their prayers and the spiritual things they do, the Government is next in line.

If we think about the wildfires that sweep the West every summer, it is the Federal Government that steps in to help. Tens of thousands of Federal employees fight those fires. They are professional firefighters. They come in every summer. They do very dangerous work. They place themselves in harm’s way to protect property and people’s lives. We have these firefighters who jump out of airplanes and parachute, heavily loaded with all kinds of equipment, to fight these fires. We have firefighters who rappel off the back of helicopters to fight these fires.

So for all the bad that people hear about Government, I think we should stop and think about the people who fight these fires that are consuming—there is one fire now in Arizona that is raging in an area about 10 times that of the District of Columbia. The fire line is 50 miles long. Again, we have there professional firefighters who are trained every summer. The Federal Government has programs for feeding them. We have had fires, of course, in Nevada, and I have seen the tremendous logistical problems in feeding thousands of firefighters, for example, and having a place for them to sleep. Government is there to help us, not to hurt us.

EDUCATION AMENDMENTS OF 1972, TITLE IX

Mr. REID. Madam President, this week we celebrate the 30th anniversary of Title IX of the Education Amendments of 1972, the landmark legislation that prohibits sex discrimination in federally funded educational and athletic programs.

I look back with great pride at the teams we have had in Nevada. One
would automatically think of the UNLV Running Rebels basketball team, which was a national champion, and I do look back with great pride at Jerry Tarkanian and those great athletes. Six basketball players were drafted into the first round that year, that is how good those were. I also look back with great pride to the UNLV Rebel women’s softball teams. We had all-Americans there, too. Lori Harrigan is an example. She pitched in two Olympics, won two gold medals. She is a Las Vegas native. It was during her years that we were ranked in the top two or three teams in the country.

I love to go watch the Rebel women play. We now have a new stadium for softball. I have told other people this, maybe not so many all at once, but I would rather watch them play than the men’s baseball team. It is a much quicker game. They are tremendous athletes. You are right on top of the game there in that little stadium, right there with the players.

We should be happy with all of the progress we have made providing girls and women with opportunities previously denied them. We must continue our efforts to promote gender equality because the job is not complete. I can remember going to a rural community in Nevada, White Pine County High School, and I was going to speak to an assembly. They had me in a room waiting for the kids to gather. Two girls were there, obviously doing homework, studying. They had on letter sweaters. It was kind of cold in the room. I made conversation with them. We talked about how much they loved their athletics.

I told them they were able to play ball because of the law we passed in Congress, that they would not be playing otherwise. They said they did not understand that. When I left, one of the girls said her name was Cassandra—said, “I would die if I did not have my athletics.”

I am sure she was exaggerating, but she conveyed to me how much she enjoyed athletics. It was like when I was a young man in high school, that was the No. 1 thing for me. It was the No. 1 thing for her.

We must be aware that Title IX programs that have proven so effective in helping girls and women are under assault from critics who would like to turn the clock back.

A major column in Newsweek magazine was bashing Title IX about 3 weeks ago, saying it is a bad program and all it does is hurt boys. Millions of people see each Newsweek magazine publication.

I cannot allow the challenges to proceed. When my wife and I went to high school, the only thing she could do athletically was be a cheerleader. That is what she did. It did not matter if she could run as fast as Gail Devers, or that she could jump high, or whatever it might be in athletics today, she could not be involved. They did not have programs for girls. That is the way it was almost everywhere in America.

My boys got their athletic ability from my wife, more so than from me. Yet she did not have the chance when she was young to be competitive in sports.

Title IX has helped dramatically to increase participation in sports among female students. Among high school girls, there has been an almost tenfold increase in girls playing competitive sports 30 years ago, to now, almost 3 million. At the college level, the number of female athletes increased from 30,000 to 150,000. Clearly, these statistics show if you build it, they will come. Girls and young women have a high level of interest in sports and are eager to have equal opportunities.

I have no doubt that my participation in athletics and my sons’ participation in athletics helped build my character. That is what athletics is all about.

Recently, I had the opportunity to have Billie Jean King come to my office. I had a great visit with her. Billie Jean King is what Title IX is all about. She was a great athlete in both women’s tennis and men’s tennis. Some of the men, and some men, to participation in athletics when she beat a world-class tennis player. It was on national TV. Everyone knew she would lose, but she shocked them. We reminisced about her past. The cooperation and support of everyone was to talk about the changing role in sports as it relates to women and the importance of Title IX.

Billie Jean King has inspired successive generations of women athletes such as the world champion women’s soccer team, whose players like Julie Foudy, Brandi Chastain, and Mia Hamm have benefitted from Title IX. I had the opportunity recently to join Julie Foudy at a soccer clinic she conducted at the UNLV Homecoming in Las Vegas, where she was playing in a professional soccer league match that night. It was great to see hundreds and hundreds of people who came to see Julie Foudy, a great professional athlete who got there as a result of Title IX.

Judy Foudy, Brandi Chastain, and Mia Hamm have now serve as role models, as do the current tennis stars, Venus and Serena Williams. We must continue to encourage participation in sports and give girls and women the same opportunities that boys and men have traditionally had. Athletic training and competition have the same benefits for females as for males, teaching them not only how to score goals but set goals and work hard to achieve them. Through cooperation and teamwork, developing leadership skills and instilling self-confidence.

At a time where far too many American kids lead sedentary lives where they do not move off the couch, and many are overweight, we must support programs that lead to improved fitness and health. Adolescent female athletes are more apt than nonathletes to develop a positive body image, less likely to become pregnant, and are at less risk for developing women’s diseases such as osteoporosis and breast cancer.

In addition, sports provide a safe and healthy alternative to drugs, alcohol, tobacco, and other forms of violence.

Students who participate in sports feel a greater connection to school and keep their grades open to maintain their eligibility.

Mr. President, as I indicated, there are people who are trying to get rid of Title IX, saying it is unfair that we have girls participating in high school and college athletics because it hurts boys’ programs, and for other reasons. They say things such as girls are not as competitive, they don’t need to do this—I am not making this up. You can read the editorial in Newsweek Magazine.

Mr. President, before Title IX, there were almost no athletic scholarships available for women. Now many women have been able to pursue higher education as a result of participation in sports, just like young men did and still do.

I am disappointed, if not surprised, that some critics would like to halt the progress we have already made, accusing them of being mis-leading and unfair criticisms of Title IX.

Let’s set the record straight. Title IX does not require “quotas.” It is wrong to scapegoat women as the supposed cause of men’s athletic programs. In fact, colleges have added hundreds of men’s teams and there are tens of thousands more male athletes at universities since Title IX was enacted. While it is true that some men’s teams—and some women’s teams—have been dropped during this time period, many factors, including a declining interest in a particular sport, influence a school’s decision. Dropping a men’s team has never been required by law or the courts enforcing Title IX. Rather, each school is given discretion to make decisions about how to comply with Title IX and provide equal opportunities and treatment for male and female student-athletes.

So while we remain vigilant against attacks on Title IX, we must also push for its continued implementation and enforcement.

For most Americans, Title IX is synonymous with our efforts to provide girls and women with the same opportunity to participate in sports, but Title IX addresses a wide range of important programs and issues related to education. In fact, only a small fraction of Title IX complaints received by the Department of Education’s Office of Civil Rights are related to athletics programs.

Title IX also has helped provide women with equal access to higher education.

I remember when I practiced law. A very fine, brilliant man I worked with who was an environmental lawyer. There were not many lawyers in Las Vegas at the time that were female—very few. My brilliant friend...
said there will never be a lot of women lawyers because they have to carry these big briefcases and big files. Well, he was certainly wrong because a lot of men practice law that don’t carry big files and big briefcases. Now there are a lot of women who practice law who carry big briefcases and big files. It has been found that they are just as good in court as men. They are just as good at drawing wills and working in corporate America as men. So Title IX has helped provided equal access to education for women.

Years ago, many universities excluded or severely restricted women from admission to certain programs. Now, however, the percentages of women enrolled in American law schools and medical schools are about the same as for men.

Unfortunately, according to reports recently issued by the National Women’s Law Center and the National Coalition for Women and Girls in Education, women are subject to persistent gender segregation and discriminatory counseling in high school vocational and technical education programs at American high schools. There was a wonderful piece a week ago last Saturday about women on public radio about how girls are treated in high school, about going into programs that are vocational in nature, mathematics in nature. School counselors talk them out of it every day. It is tragic. Speaking counselors are telling girls: why don’t you take up something else? How about being a nurse or a school teacher? You don’t want to go into vocational education or work on cars. But they do and they do just as well as men working on cars. So there is some real significant discriminatory practice there.

They are often steered toward programs like cosmetology, health aide preparation, and child care training, nursing — all of which lead to lower paying jobs most of the time; while male students congregate in programs leading to higher paying careers in technology and the trades. This has significant negative implications for women’s employment prospects and earning power.

We need to vigorously defend and enforce Title IX in all of the areas it covers, so that we can sustain and expand upon the progress we have made.

Often girls and women are the beneficiaries of Title IX, but I think it is more accurate to say that we all benefit from this important civil rights legislation — these affirmative action programs that are Title IX. Certainly, American society as a whole is better when women — who, after all, make up more than half of our population — are provided a fair and equal opportunity to develop their full potential.

I go back to what I said when I started this speech. I reflect on watching the Running Rebels basketball team when they were the national champions. There were great players on that team. As I indicated, six of the players on that team in 1 year were drafted in the first round.

I also reflect with pleasure on watching Lori Harrigan throw a softball and keep the UNLV Rebels softball team in the top 10.

I also reflect on how things have changed since I started practicing law. The legal profession is better now because of the women involved, just as the Senate is a better place because of the women who are here. That is what Title IX is all about.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I thank my colleague from Nevada for bringing up the issue of women in sports. It has meant a great deal for women and girls to have these opportunities.

The Senator talked about when his wife was in school and all she could do was cheer for the team. I know Mrs. Reid’s daughter, who is the same age. That was exactly my experience. I am very happy to say my daughter was able to play soccer. I see the young girls today reaching for the stars — and attaining them.

I wonder what the order is at this point in terms of the time division? The PRESIDING OFFICER. The time until 4 o’clock is evenly divided for morning business.

Mrs. BOXER. Our time runs out at 3:30? The PRESIDING OFFICER. Ten minutes to each side.

Mr. DORGAN. Reserving the right to object, is it evenly divided on both sides or just 10 minutes per Senator?

The PRESIDING OFFICER. Ten minute grants, evenly divided to each side, but no one side has control.

DECLINE IN QUALITY OF LIFE

Mrs. BOXER. Madam President, I take to the floor today to call attention to an alarming trend that I see happening in this country. It is a decline in the quality of life for our people in this country. It is beginning. I am concerned it will continue.

Clearly, I am not talking today about the tragedy that hit on 9-11. Of course, that had an impact across the board in terms of worrying about our children and concern for our communities. I am setting that aside. What I really want to talk about is the business of this Government that is keeping our people safe from a couple of things. One is crime in the streets. The other is the quality of our air, our water, our neighborhoods in terms of this environment that we so cherish.

I am very concerned we are beginning to see fallout from policies that are occurring in this administration that has been in power now for 17 months. We first get the alarming news that after 9 years of decent economic development, we are seeing a very large change in the crime rate. We see increases in the murder rate. We learn of increases across the board from reading the newspaper. We have an expert, Patrick Murphy, who basically worries that we have eliminated the COPS program because this administration does not support it. It has put 100,000 police on the beat. We need to do more. That is losing an important tool.

All we are seeing cuts in aid to States and localities in the criminal justice area. We are seeing these cuts because this administration just does not have that as a priority. They have as a priority cutting taxes for people who earn over $1 million a year. That is the truth. It costs money to put a policeman on the beat, to protect a neighborhood, a street, a school. If it is more important to give tax breaks to people who do not need it, that is the price we are going to pay. It is beginning to come home to roost.

Another area where we are beginning to see decline is in the quality of life in the environment. We already know this administration is cutting in half the number of cleanups that are now being proposed by the Bush administration. The Clinton administration did 111 sites cleaned up. We have an expert, Pat Murphy, who basically worries that had an impact across the board in terms of this environmental quality of life declining, children’s health declining, and so on — but listen to what happened. After we adjusted to the fact that we were going to see fewer sites cleaned up, we now see their proposal is to actually go to 47 sites.

They are cutting in half the number of Superfund sites to be cleaned. Why? Because it is not a priority. It is more important to them to give money to people who earn over $1 million. That is the bottom line. There is not enough money to put cops on the beat, not enough money to clean up these sites. It is a very troubling trend. These communities were counting on these cleanups because they are making a comeback.

These sites are not isolated. In my own State of California, 40 percent of the people live within 4 miles of a Superfund site. So we are talking about a real problem. But more than that, there are many other problems that we see.

I urge people who may be listening to go to a Web site that we have set up, on our side, to detail the various rollbacks that we are seeing in terms of the environment.

Go to this Web site: democrats senate.gov/environment, and you can see what we are talking about. We
are going to show you the sites that have been abandoned, the rollbacks of this administration because there are so many I cannot fit them on one chart.

I will show two charts that detail the various rollbacks and broken promises of this administration. You can see it is just impossible to take the time because there are 100 rollbacks in clean air, clean water, and safety and health for our people. It causes a lot of concern.

Senator JIM JEFFORDS, who is the chair of the Environment Committee on which I serve, is highly upset about the Superfund situation and highly upset at the fact that there are rollbacks now being proposed on the Clean Air Act.

Madam President, you have two beautiful young children. You know when they breathe dirty air, the impact on their lungs is far greater than when you and I breathe that same air. The bottom line is by rolling back the Clean Air Act, as they plan to do, our children are going to suffer.

We have a situation where the President has now proposed a rollback of the Clean Air Act. Senator JEFFORDS is trying to learn on what they based this decision. He has asked the EPA for information similar to the information I asked them for on the Superfund sites.

I want to be able to tell you of your constituencies are not going to have their Superfund sites cleaned up. I want to be able to tell the same to my Republican colleagues and Democratic colleagues. I cannot get the information. Things have gotten so bad that we have had to ask, at the time, the inspector general to help get us this information on Superfund, and Senator JEFFORDS is going to have to call together our committee and issue a subpoena to get information in terms of the rollback of the Clean Air Act.

Let me sum up this way: I am concerned that the priorities of this administration are leaving our people vulnerable, vulnerable to high crime rates, vulnerable to dirty air and dirty water. I think the chickens are coming home to roost. All these rollbacks, except when you find out it is not somebody else's Superfund site that is not being cleaned up but it is yours.

Let me show you the sites across the country. Single States like North Dakota has a Superfund site, and the purple reflects the Superfund sites. These are the most toxic, most dangerous sites.

I am here today as the chair of our environmental team. I am proud Senator DASCHLE has appointed me. I have a very good team of Democratic Senators with whom I am working, and I will come to the floor again to bring you up to date on this issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

VACCINES

Mr. FRIST. Madam President, I rise for a few minutes to discuss in morning business an issue that involves essentially every American today, and that is an issue regarding the shortage of vaccines. Every day, thousands and thousands of parents take their children to physicians' offices all across this great country, not because their children are response to an acute illness, but because they understand the importance of preventing a potential illness.

They want, and they rightfully expect, their children will be able to receive vaccines prevent illnesses that range from tuberculosis to measles to mumps to rubella to chicken pox. Yet—and I tell this to my colleagues and to people listening across the country—the fact is that many of these parents are being turned away with their children still vulnerable to some of these very destructive and often deadly diseases. Five vaccines prevent childhood diseases that have been in short supply in the United States since 1974.

Thankfully, there have been no major outbreaks among American children. We thankfully have been vigilant about vaccination in this country in recent years, and our population on the whole has remained healthy. But we have a short supply of vaccines today. The longer these vaccine shortages continue, the more vulnerable our children become.

If we do not take prudent steps today in Congress to address these current and recurring vaccine shortages, it is almost certain—from a public health standpoint, from what we know today—that American children will experience an outbreak of diseases that we have the tools, we have the ability, we have the medicines to prevent.

Is it possible to have these destructive diseases appear in this day and time? The answer is yes, and these vaccines are in short supply today in our country. We do not act to prevent such outbreaks that have occurred in other industrialized nations.

If we look at Japan, for example, vaccination rates for whooping cough dropped from the 80-percent rate in 1974, to 10 percent in 1976—from 80 percent to 10 percent over a 2-year period. This caused a dramatic rise in the incidence of the disease from 400 cases and no deaths, to 13,000 cases and 41 deaths within 5 years.

The vaccine for pertussis, which is whooping cough, diptheria and tetanus, is one of the five vaccines in short supply. The others are for tetanus, measles, mumps, rubella, chicken pox and pneumococcal disease, which can lead to pneumonia, bacteremia—that is bacteria floating in your blood that can give you fever and make you ill—and meningitis, which is inflammation of the structures that surround the brain.

These vaccines for our children are in short supply. The Centers for Disease Control and Prevention, the CDC, reports that new supplies of these vaccines will be available soon. That is good news. Two of the vaccines that are now in short supply will be available later this summer, two more by the end of the year, and the last one in the fall, we believe—maybe a little bit later.

Today, there are only four manufacturers producing vaccines for America's children. Of those four, only two are American companies. New companies that may want to produce vaccines are confronted with this dual risk of increasing liability and at the same time questionable return on investment. When you put those two together, there are fewer and fewer manufacturers, and that is contributing to this shortage.

The remaining vaccine manufacturers are upgrading and expanding production facilities. Again, that is good news. Even if we have a flood in the country and we deplete the supply vaccines, even if we have a shortage, it will be only a matter of time when we have another drought for these lifesaving vaccines. We must address the underlying, fundamental reasons for these recurring vaccine shortages. We have to do that in a thoughtful and comprehensive way based on what we know are the realities in terms of production and usage. It is the job of the Senate to set this framework in place.

In March, I introduced the Improved Vaccine Affordability and Availability Act. This act does a number of things. In essence, it requires the Federal Government to build and maintain a 6-month supply of prioritized vaccines that will keep our public health and our medical communities agree are necessary to prevent these preventable diseases.

This would stabilize the supplies over time and help us to be better prepared in those years in which vaccine production cannot meet the demand at that point in time. It would also expand the funding available for State and local efforts to boost immunization rates. You can have the vaccine and know the vaccine is available, but unless you actually apply that vaccine to our children it is not going to do much good. This increased vaccination effort will focus on adults and children who are underserved or who are at high risk of contracting vaccine-preventable diseases. You can have the vaccine and know the vaccine is available, but unless you actually apply that vaccine to our children it is not going to do much good. This increased vaccination effort will focus on adults and children who are underserved or who are at high risk of contracting vaccine-preventable diseases.

Perhaps the most important provision in this bill are modifications to help restore balance to a program called the Vaccine Injury Compensation Program. This program was created about 20 years ago, in the mid-1980s, to rapidly compensate those who suffer serious side effects from vaccines that we recommend, from a public
health perspective, our children receive. It has been very successful. This program also reduces the burden of litigation for doctors and nurses who administer the vaccines, as well as for manufacturers.

Until a few years ago, the program seemed to be working well. But low factors threaten it from working so well and will cause an impediment to the supply of vaccines over time. Let me briefly explain.

We have had a rush of new law suits, which are threatening our vaccine supplies. The Vaccine Injury Compensation Program is literally being overwhelmed today with new cases. Many of those are broadly without merit. As a result of the program's 240-day decision deadline, State and Federal courts are increasingly becoming the forum for expensive litigation. And many of the meritorious claims and justified claims are not being decided in a timely way.

One pending lawsuit is for $30 billion in damages—$30 billion. If you look at the very top of the global vaccine market, the total value is only $5 billion. This one lawsuit is six times the global market for vaccines.

This climate of legal uncertainty has contributed to an exodus of manufacturers from being in the business at all and from being in the business here in the U.S. We have seen a subsequent rise in the price of vaccines. Since the 1980s, the number of vaccine manufacturers has dwindled from 12 to 4. In some cases, only a single manufacturer is producing some of our most critical vaccines. The Improved Vaccine Affordability and Availability Act—S. 2053—restores balance to the Vaccine Injury Compensation Program. It would help compensate those with serious health side affects from vaccines while at the same time ensuring that unwarranted litigation does not further destabilize our vaccine supply.

The development and widespread use of vaccines has been one of the most successful public health initiatives in medical history. We have reduced the incidence of diseases, such as measles, mumps, and polio, and we have even eradicated smallpox—which over a period of time has killed somewhere between 300 million to 500 million people in the 20th century alone. Smallpox as a disease does not exist.

The decision before us is whether or not to build on the successes that we have achieved in vaccines in the 21st century. I speak not only of vaccines that already exist—the vaccines for our children that are in short supply—but also as we look at the role of future vaccines needed to address bioterrorism—when we know we don't have the vaccine for the Ebola virus today. We have inadequate vaccines for three of the seven agents that are classified by our agencies as a threat and for which we are at risk. Some day we will have a vaccine, I believe, that will hopefully cure Alzheimer's disease.

What we are looking for is a platform—a comprehensive approach for all vaccine development.

The Improved Vaccine Affordability and Availability Act will help us to expand the vaccine market. It will stabilize our vaccine supply, and it will improve access to vaccines.

When parents take their children to the doctor, they will not be turned away because of a shortage of supply of these vaccines.

Earlier this month the Improved Vaccine Affordability and Availability Act gained additional momentum when the Advisory Commission for Childhood Vaccines—the group that advises the Secretary of Health and Human Services on improving the Vaccine Injury Compensation Program—voted on June 6 in favor of most of the provisions in our bill, S. 2053.

I thank the members of the Advisory Commission for Childhood Vaccines, or ACCV, for acting so quickly on a matter of such importance. And also for lending their expertise to this debate. Further, I thank them and express my appreciation for their suggestions in how we can modify some of the provisions in the bill.

I urge my colleagues to look at this particular bill and I look forward to working with my colleagues as we move forward in considering the ACCV recommendations.

The need to act is urgent. We simply cannot afford to wait until tragedy strikes, or to surrender the gains we have made over the last 50 years in reducing and preventing childhood diseases through vaccination. I urge my colleagues to join Senator HUTCHISON and Senator Bunning in cosponsoring S. 2053, and to work with us to pass this critical legislation this year.

THE ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Thank you, Madam President.

THE DEPARTMENT OF DEFENSE AUTHORIZATION BILL

Mr. SESSIONS. Madam President, I would like to share a few remarks about the Defense bill that we will be back on in a few minutes.

Mr. DORGAN. Madam President, will the Senator yield for a unanimous consent request?

I ask unanimous consent that this Senator be recognized for 10 minutes following the Senator's remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, we have had a good process in the Armed Services Committee, of which I am a member. Senator LEVIN is a marvelous chairman, and leads in a very skilled and wise way. Our ranking member, Senator John WARNER, former Secretary of the Navy and a patriot, in many ways lends his wisdom to the debate. We have come out, except I suppose on national missile defense, with a bill with which we feel comfortable. I think a large amount of the credit goes to President Bush for stepping forward and providing leadership in calling for a strong budget.

I thought I would just share a few remarks about my view. We are, in my view, doing a terrific job, but we are down about 40 percent from the height of our personnel at that time.

So what is it that has really happened? We have had inflation. In many ways, we have had increased demands on us around the world. We have a demand that we have all agreed to in this body of which I think everybody is on board; and that is, we need to transform our defense. We need to reach our objective force, which we are stretching our military to look like and be. We want it lighter. We want it more mobile. We want it more lethal, more scientific, and technologically based. That has been our goal, and we have been moving in that direction, but it costs money.

But despite those demands, we have not done very well, until recent years, frankly, in our spending. In 1993, our defense budget was $327 billion. That is what we appropriated. In 1994, it dropped significantly in one year to $304 billion. In 1995, it dropped again to $299 billion, falling below $300 billion. In 1996, it dropped again to $295 billion. In 1997, it dropped again to $289 billion. In 1998, it hit the bottom, $287 billion.

During this time, we had inflation, we had other demands, and we had salary increases for our people in uniform, but the defense amount was going downward.

In 1999, we had the first increase in the defense budget from $287 billion in 1998 to $292 billion in 1999—not enough, really, to meet the cost of inflation, but in real dollars, actual dollars, it was the first increase in many years.

In 2000, we had an increase to $296 billion. In 2001, we got over $300 billion again, for the first time in many years, and appropriated $309 billion.

That is not a very good record. It emphasizes how we began to lose sight and take for granted the forces that defend us around the world. It represented a dramatic reduction in real
dollar shares, adjusted for inflation, which is even larger than the amount that appears on paper because, as you know, the dollar shares were becoming always a little bit less valuable each year.

So when President Bush campaigned on stopping the military buildup in action to do that. So in 2002, we hit, under his leadership and his direction—and I think he deserves great credit for this—we raised the budget to $329 billion, exceeding, for the first time in many years, the 1999 budget of $327 billion.

Then, in the course of that, we have had the war effort that we have been carrying on now against terrorism, and there has been a supplemental defense budget of around $40 billion for defense this past year to help us meet those crisis needs.

In this year's budget, President Bush has proposed—and we are pretty much on track to meet his request—$376 billion for defense. I think that is a step in the right direction.

I am saying these things because a lot of people think we cannot afford anything, that defense is taking up all the money in the budget. But as a percentage of the total gross domestic product, what America produces—all the goods and services we produce—our budget today, for the year 2003, is much less than the percentage of the gross domestic product we had in 1993 when we had an only slightly smaller defense budget in terms of inflation-adjusted dollars, as well as in terms of the actual drain on the economy.

So what we need to do is ask ourselves where we are going. This budget does not call for an increase in personnel. It calls for, again, some pay increases, a cost for more training, bonuses for people in high-specialty areas whom we have to have in a military which operates with as much technology as we operate in today. That does not produce anything.

We have risen to the challenge and have met the needs of our veterans for health care coverage for life, which they were promised and were not receiving. We have done that. We will do some other things in that regard.

Military housing has fallen behind in its needs. Military health care has not been what it has needed to be. We have fallen off there.

So of those things, I guess I am saying, are unmet needs that we have had to fund out of the increases that we have had. And it has left us not as good as we would like to be in recapitalizing our military. It is not as good as where we would need to be to step forward to reach that objective we have for a future combat system that allows us to be agile, mobile, and hostile, as Eddie Robinson said, to make our military able to project its power wherever the legitimate interests of the United States are threatened around the globe.

So I think we do have some good increases. We are going to have increases for smart munitions, the kind of precision-guided munitions that proved exceedingly valuable in Afghanistan. Sixty, almost 70 percent of the munitions we expended in Afghanistan were precision-guided munitions.

We have been able to drop JDAM from an airplane, and it can hit—precision guided with global positioning systems—within 10 meters of a target. That is a precision weapon of extraordinary capability. We need to have plenty of those. We have an increase in that for that. Frankly, I am not sure we have quite enough yet there. We dog gone sure don't want to be in a war and not be able to call down sufficient numbers of those kinds of weapons that are so effective today. So we have done that.

We made a tough call—the Defense Secretary did—the Crusader artillery piece. It is an $11 billion item. It was not considered part of the objective force but an interim weapon system until we directed them to do that. It was going to drain us of $11 billion. For example, it would not have been deployed by the Army in Korea. It would have been kept in this country in the countercarrier force.

The Deputy Secretary of Defense and the President concluded we could not afford that new weapon and that we need to leap forward to a new type of artillery piece that had precision-guided capability. We have those, really, right now. We can do that. We can use them now, and they would be part of that new combat system we are looking forward to having.

So the President and Secretary Rumsfeld had to make that tough call. A lot of people wanted that system. They had invested a lot of years in it and developing it. They testified in favor of it, and they voted in favor of it. But I think the President did the right thing. I supported him on that. It will free up $11 billion in unused investment in new weapons that will help us better in the future.

So the other big conflict I guess we have had—and I believe it is very significant, and I hope the American people will be engaged on it—is the question of national missile defense.

We know, from unclassified testimony by professionals from the Director of the CIA, George Tenet, and from the Director of the Defense Intelligence Agency, who studies these things exceedingly closely, that Korea will have an intercontinental ballistic missile from which they can deliver weapons of mass destruction to Alaska and Hawaii and the United States proper very soon. We need to have other measures that will help us better in the future.

So we need to have a debate in terms of how we use our resources. Do we put them all in one pot, or do we evaluate which is the most likely threat? How do we respond to that threat?

AMTRAK

Mr. DORGAN. Madam President, I rise to talk about Amtrak. As we did two years ago, this month the House of Representatives, the Senate, and the President in the White House made a request to the Senate to impose a one-time tax on everything we bring into our ports every year on container ships. It is a $1 billion increase in the budget that will devastate an industry that we all agree is important.

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happen to think Amtrak is critically important as a part of our transportation system.

Every other form of transportation is subsidized. We have people saying: Let’s not subsidize Amtrak. Why not? Every other country in the world provides for their rail passenger service. I think our country is justified in doing so to keep that rail passenger service working.

The Secretary of Transportation has a plan that would virtually destroy Amtrak and I know it. He says: Let’s take the Northeast corridor out, Boston to Washington, DC, and separate it from the rest. That is a sure-fire way to kill the rest of Amtrak service for the country. It is a huge step backwards; that is not progress.

We must ask the Secretary and the administration not only to announce Wednesday that there is financing to have Amtrak continue, but also to work with those of us in Congress who want to keep Amtrak on the long-term future of rail passenger service.

TRADE DEFICITS

Mr. DORGAN. Madam President, last Wednesday the Commerce Department reported that the monthly trade deficit for April 2002 was $35.5 billion. That deficit is for both goods and services. The deficit in goods alone was $39.9 billion.

Every single day, 7 days a week, we import $1 billion more in goods than we export, and we charge the difference. What does that mean on an annual basis? Deficits on the order of $400 billion.

These trade deficits are to a large extent the result of bad trade agreements, particularly those entered into under fast-track authority. This Senate, without my vote, just embraced fast-track trade authority so that the President can negotiate another trade agreement. Our negotiators overseas and negotiate a trade deal, and in an instant they lose. I have said it 100 times, but it is worth saying again, in the words of Will Rogers: the United States of America has never lost a war and never won a conference. He must surely have been thinking about our trade negotiators.

We have bad agreements in 100 different ways: Bad agreements with China, with Japan, South Korea, Europe, and others. With Europe we have a dispute overseas for U.S. beef. The EU does not let in our beef when the cattle have been fed hormones, even though there is no evidence to support this ban. So we take the EU to the WTO, and we argue that we are entitled to sell our beef in Europe. The WTO agrees, and tells the EU to let our beef into their market. And the EU just thumbs its nose, and says forget it.

So we say: All right, we are going to get tough, and retaliate against you. And how does the United States get tough? We say: We will slap you with penalties on truffles, goose liver, and Roquefort cheese. That is enough to put the fear of God into almost any country.

Well, when Europe wants to retaliate against our country over a trade dispute, as they did in the case of U.S. tariffs against European steel, Europe goes after hundreds of millions of dollars worth of U.S. agricultural products. We, on the other hand, are retaliating by saying: We will nail you on truffles, goose liver, and Roquefort cheese.

I am sorry, but where is our backbone? Does this country have any guts to stand up for its producers and its workers?

So last month, we had the largest monthly trade deficit in the history of this country. Where are all the exports that we were promised as a result of fast-track trade agreements? Do you know what our country is losing? The loss of American jobs. That is the biggest export as a result of the trade agreements. You can see from the trade deficits we have that these trade agreements simply aren’t working.

Who pays these deficits? The American people have to pay for these deficits at some point. You can make the case with respect to budget deficits that it is money we owe to ourselves. You don’t have to make that case with the trade deficit. The trade deficit we owe to others, to people living in other countries. We will pay trade deficits with a lower standard of living. That is why it is so dangerous.

Today the financial markets are very unsettled. Day after day after day, we see a further collapse of the stock market, the financial markets.

Why is that the case? Because there is a sense that our fundamentals don’t work. We are deep in red ink, drowning in trade deficits, and nobody here seems to give a darn at all. It is dangerous for our country.

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Ours have bad agreements in 100 different ways: Bad agreements with China, with Japan, South Korea, Europe, and others. With Europe we have a dispute overseas for U.S. beef. The EU does not let in our beef when the cattle have been fed hormones, even though there is no evidence to support this ban. So we take the EU to the WTO, and we argue that we are entitled to sell our beef in Europe. The WTO agrees, and tells the EU to let our beef into their market. And the EU just thumbs its nose, and says forget it.

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I am sorry, but where is our backbone? Does this country have any guts to stand up for its producers and its workers?

So last month, we had the largest monthly trade deficit in human history. Does anybody here care? I think eventually we will have to reconcile for this failure in policy. It is not just a failure with this administration—although this administration certainly has played a part—it is a failure of past administrations and every administration going back 20, 30 years. They have embraced policies that have us in a situation where we have long-term, relentless deficits with the Japanese, $60 billion, $70 billion a year every single year with Japan. And 14 years after we had bad trade agreements with Japan, there is a 38.5 percent tariff on every pound of beef going into Japan.

I mentioned the Japanese beef agreement, which was described as a big success by those who negotiated. Yet, 12 and 14 years later, we have this huge tariff on every pound of American beef going into Japan. Nobody says much about it. We have a large trade deficit with Japan.

We have 630,000 cars coming here from Korea every year. We are able to ship them only 2,800. When you raise that issue, and point out that they are shipping us 630,000 Korean cars into the American marketplace and allowing only 2,800 American cars to Korea, they say: yes, but your exports used to be 1,300 cars and now they have doubled. So if you hear trade negotiators talk and they say “we doubled the amount of American cars we shipped to Korea”—well, yes, from 1,300 to 2,800. But the Koreans send us 630,000 in a year.

Our trade policies are failing badly. Nobody seems to care much about it. There is not a whisper about this huge trade deficit on the floor of the Senate—just following the Senate agreeing to extend fast track trade authority to the President.

Because the time is limited, and we are going to the defense authorization bill, I will defer a longer speech on international trade to a later time. But Mr. President, it is fascinating to me that last Thursday we heard the announcement of the largest trade deficit in history, and you could not hear a voice in this town raise a point that this is a serious problem for this country’s economy. It is long past the time to have a real debate about our country’s trade policies and about these growing, relentless trade deficits that cause great danger to the American economy.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. Nelson of Nebraska). Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2003

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 2514, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2514) to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of the Army, the Department of the Navy, the Department of the Air Force, and for related purposes; to authorize the transfer of funds: Provided, That the provisions of section 707 of Public Law 106–65, 113 Stat. 570, shall apply to this Act as if such provisions were contained herein; to amend title 10, United States Code, to provide for the reduction of the United States military personnel strength; to provide for the procurement of certain military equipment; to allocate funds for certain military construction projects; to provide for the emergency supplemental appropriations for fiscal year 2002; to provide for national security in the Western Hemisphere; to provide for the Global War on Terrorism; and for other purposes.
Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, we made some good progress on the national Defense authorization bill last week, and I am optimistic, with the continuing good help that is always available from our leadership and the cooperation of Senators, that we can complete all action on this bill in a timely manner this week.

We debated the bill for over 18 hours last week, and we disposed of 29 amendments. We still have some amendments that will require debate and rollcall votes, and we will be working with the sponsors of those amendments to try to get them before the Senate as promptly as possible.

We were able to clear a number of amendments last week. We have a package of cleared amendments. I am looking at my good friend from Virginia. He is nodding his head, so we believe we can act on a number of cleared amendments later today.

We expect to move shortly to an amendment from the distinguished Senator from New Hampshire and the Senator from Minnesota prohibiting the chain of command from requiring female servicemembers to wear an abaya in Saudi Arabia. We are going to vote on that amendment. It is currently planned to be disposed of approximately 5:45 p.m.

Following the disposition of that amendment, it is our hope that we can have another amendment offered for debate and schedule a vote for sometime tomorrow morning.

Finally, I note that the Defense Department and the Nation lost a great public servant this weekend. Doc Cooke, whose official title was Director of Administration and Management, but who was more widely and affectionately known as the mayor of the Pentagon, passed away on Saturday following an automobile accident several weeks ago.

There was no one more dedicated to the people of the Department of Defense than Doc Cooke. He will be greatly missed. Our thoughts and our prayers are with his family.

I know my good friend and colleague from Virginia also knew Doc Cooke a lot better than I did, and I am sure he will have warm words.

Mr. WARNER. Mr. President, I thank my good friend and colleague from Virginia also knew Doc Cooke a lot better than I did, and I am sure he will have warm words.

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Mr. WARNER. Mr. President, I thank my good friend and colleague from Virginia also knew Doc Cooke a lot better than I did, and I am sure he will have warm words.

I remember one time, I made a very foolish decision—perhaps I made several—while I was Secretary of the Navy—when I decided to visit the office which every sailor and marine occupied. It took me 1 year to cover the building. I was forewarned that I had made an ill-advised decision. It was interesting. Doc Cooke helped me plot the course for that project. He was behind the restoring of the building the day the tragic accident befell the men and women who worked in certain spaces on 9-11. He spearheaded that effort, together with the Secretary of Defense, such that all the schedules for completion are being met. That is the type of man he was. He was very humble and very soft spoken.

I thank my good friend and colleague because those of us who were privileged to serve in that building, as I did for over 5 years, remember well Doc Cooke.

Mr. President, turning to the bill, I thank the chairman for his estimate. I join him in saying we made progress last week. Our leadership not only challenged us but I think has given us a set of orders to finish this week. There is every reason we can do that, and do it in a way to allow Senators to bring forth their amendments to the bill and to have a reasonable period for debate.

Fortunately, we have in place an understanding with the leadership that the chairman is making the determination as to relevancy of amendments. Primarily the rule that governs the Parliamentarian as to whether or not a bill is referred to a committee is the guidepost we will follow, but we will consult together on these issues.

We are now awaiting the distinguished Senator from New Hampshire, I am told he is on his way.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Has Senator Smith offered his amendment?

The PRESIDING OFFICER. Not yet.

Mr. REID. Mr. President, I ask unanimous consent that following Senator Smith’s offering of his amendment, which will be momentarily, the time until 5:45 p.m. today be equally divided and controlled in the usual form, with respect to the Smith amendment, with no second-degree amendment in order prior to a vote in relation to the amendment, but at 5:45 p.m., without intervening action or debate, the Senator may vote in relation to the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3969

Mr. SMITH of New Hampshire. Mr. President, I send an amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Hampshire [Mr. Smith], for himself, Ms. Cantwell, Mr. Grassley, Mr. Dayton, Mr. Reid, Mr. Craig, Ms. Landrieu, Mr. Harkin, and Mrs. Boxer, proposes an amendment numbered 3969.

Mr. SMITH of New Hampshire. I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To impose certain prohibitions and requirements relating to the wearing of abayas by members of the Armed Forces in Saudi Arabia)

On page 123, between lines 13 and 14, insert the following:

SEC. 554. WEAR OF ABAYAS BY FEMALE MEMBERS OF THE ARMED FORCES IN SAUDI ARABIA.

(a) PROHIBITIONS RELATING TO WEAR OF ABAYAS. No member of the Armed Forces having authority over a member of the Armed Forces and no officer or employee of the United States having authority over a member of the Armed Forces may—

(1) require or encourage that member to wear the abaya garment or any part of the abaya garment while the member is in the Kingdom of Saudi Arabia pursuant to a permanent change of station or orders for temporary duty; or

(2) take any adverse action, whether formal or informal, against the member for choosing not to wear the abaya garment or any part of the abaya garment while the member is in the Kingdom of Saudi Arabia pursuant to a permanent change of station or orders for temporary duty.

(b) INSTRUCTION.—The Secretary of Defense shall provide each female member of the Armed Forces ordered to a permanent change of station or temporary duty in the Kingdom of Saudi Arabia with instructions regarding the prohibitions in subsection (a) immediately upon the arrival of the member at a United States military installation within the Kingdom of Saudi Arabia. The instructions shall be presented orally and in writing. The written instruction shall include the full text of this section.

(2) In carrying out paragraph (1), the Secretary shall act through the Commander in Chief, United States Central Command and Joint Task Force Southwest Asia, and the commanders of the Army, Navy, Air Force, and Marine Corps component commands of the United States Central Command and Joint Task Force Southwest Asia.

(c) PROHIBITION ON USE OF FUNDS FOR PROCUREMENT OF ABAYAS. Funds appropriated or otherwise made available to the Department of Defense may not be used to procure abayas for regular or routine issuance to members of the Armed Forces serving in the Kingdom of Saudi Arabia or for any personnel of contractors accompanying the
Armed Forces in the Kingdom of Saudi Arabia in the performance of contracts entered into with such contractors by the United States.

Mr. SMITH of New Hampshire. Mr. President, I offer this amendment today, an amendment to the Defense bill, along with Senators CANTWELL, GRASSLEY, DAYTON, REED, CRAIG, LANDRIEU, HARKIN, and BOXER, to rectify a DOD policy that is, frankly, unfair, inequitable, inexplicable, and which violates our basic values and beliefs as a nation that believes in freedom of expression and freedom of religion.

We are seeking to eliminate the abaya policy still being imposed upon United States military women officers who serve in Saudi Arabia. This policy is unfair, and it is inexplicable.

More than a year ago, I wrote to Secretary Rumsfeld, along with four of my colleagues: Senators HELMS, CRAIG, NICKLES, and COLLINS, and I asked for an explanation from the Department of Defense regarding the abaya mandate upon females stationed in Saudi Arabia. We received interim responses to the letter but never a substantive reply. Finally, the letter was bucked down to General Shelton and then to Frank Grissell. I wrote a second letter to Deputy Secretary Wolfowitz many weeks after our first letter went unanswered.

Eventually, we discovered the reason we never received a reply. Frankly, it was too hard for anyone to defend the policy. Everyone was so surprised when they got the letter. They could not understand where this policy came from, why it would be implemented to the effect that a military officer, on duty, would have to cover her uniform, the uniform of the United States of America, when on official duty.

How in the world could anyone justify that, as if they were ashamed of the system to overturn this policy and require our own American women
officers of the U.S. military, to cover their uniform while on official duty.

I must say, when I first heard this, I did not believe it. I was told this by an individual I have not seen since, and said I didn’t believe it. I said: I will have to check into this because I do not believe this is happening. But I found out it was true.

The Department had a hard time answering this glaring contradiction, and in fact they did not offer any reasonable explanation.

White House counselor Karen Hughes was presented with an Afghan burqa when Bush administration aides came back from the trip to Afghanistan. Apparently, I was passed on reports—she put it on. Everyone was amused when Karen put the burqa on and began to ask about it, wondering how the Secret Service would react if she walked into the Oval Office with one on. But Karen Hughes is one of the administration representatives in favor of the rights of Afghan women. The First Lady herself spoke out against this appalling mistreatment of women by the Taliban. So undoubtedly Karen Hughes herself may have seemed somewhat amusing. But it certainly was not a laughing matter to Karen Hughes, who spoke out very strongly in favor of the rights of Afghan women.

It is not a laughing matter that hundreds of United States female soldiers are subjected to wearing the Saudi equivalent of the burqa, which is the abaya. We just liberated the women in Afghanistan so they could remove the burqa if they so wished. Now, by the same token, at the same time, we are implementing—holding onto a policy which forces American women officers, officers of the United States, to cover their uniform while on official duty.

I must say, when I first heard this, I did not believe it. I was told this by an individual I have not seen since, and said I didn’t believe it. I said: I will have to check into this because I don’t believe this is happening. But I found out it was true.

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abaya. I want to wear my uniform. I want to do what everybody else does, on duty and off. If I want to wear my uniform, I wear it. If I want to wear civilian clothes, I wear civilian clothes. I don’t want to wear an abaya.

Yet she was forced to do it. She tried for several years to get it corrected, but to no avail. She was basically ignored.

Whoever brings this type of issue up, the so-called whistleblower, right away people say there must be something wrong with her; she is not a good officer; she has some agenda; she is a woman’s rights advocate, or whatever—things like that are spread around. Let me tell you about her.

She is an Air Force Academy graduate. She was selected twice before her time to get an increase in rank. She was an A-10 pilot with 100 hours in the no-fly zone over Iraq and a devout Christian. She said in her interview she believes strongly that wearing the abaya violates her faith. Since we are in the business of telling a military officer that she has to wear something that violates her faith and covers up her own uniform?

McSally’s research on the issue showed that the policy was originally justified—here is the justification for the policy: “Host nation sensitivities.” Worries about offending the Saudis—offending the Saudis whom we saved from Saddam Hussein. They would all be burying us, Saddam would have sat in England someplace unless we had defended them. Now we are worried about their sensitivities, telling a military officer of the U.S. Army or Air Force or whatever that they can’t wear their uniform proudly and show it off. They have to cover it up. That just doesn’t cut it.

The issue showed that the policy was originally justified as “host nation sensitivities.” Then it was later changed to “force protection” after the Khobar Towers were bombed. Neither action makes sense.

Let me say that again.

First, it was “host nation sensitivities.” When that didn’t work, it became obvious that there was no justification for that. After the Khobar Towers were attacked, then we changed it to “force protection.”

In other words, we have to protect our troops. And because McSally, or anybody else, does not get her uniform and show off her uniform, it would infuriate some Saudi citizen. And, therefore, because our military are walking around in Saudi Arabia somewhere on duty or off duty, some Saudi citizen might be offended and take some action to harm other military people as well.

McSally eloquently and courageously exposed the absurdity of the justifications of this abaya edict. In doing so, she may—the word “may” is the action word—have harmed her stellar military career.

In these fitness reports of officers, there are certain little action phrases that have to be put in there for you to get promoted. If they are not there, you get the message. Those of us in the military know all of that.

If her career is ruined, it would be a stain on the U.S. Air Force that will never go away. If Colonel McSally is somehow implicated—indirect, direct or not getting a promotion, or not getting a command—if that happens—I am not saying it is going to happen. I am not accusing anybody of it happening. But if it did, I would say to the Air Force, it is a stain on the Air Force that is going to take a long, long time to clean.

Women in Saudi Arabia have to have male escorts. American women wearing abayas are in the company of American males. Typically, they are military males with crewcuts and collared shirts. If an officer junior to McSally—a male—is walking down the streets of Saudi Arabia in a crewcut with an open-collared shirt and a pair of khaikis, the officer who is superior to the man has to cover her entire uniform with an abaya, and can’t wear civvies at that.

I am going to tell you, that is not right. You do not have to be very smart to figure out that it isn’t right.

American men are prohibited from wearing Muslim garb. These women in abayas are Americans. It is obvious they are Americans. Why would a guy in a crewcut be obviously a marine, or an Air Force officer, be walking down the street with a woman in an abaya? There is no secret here. That doesn’t constitute “force protection.”

The whole argument is ridiculous. It is certainly not going to fool any terrorist, if that is the rationale.

Remember this: People do not want to wear these. They are willing to take any risk, if there is such risk, not to have to wear the abaya.

Let me give you an example. Let me consider for a moment what “host sensitivity” means. It was the original justification for the abaya policy. Does it mean we are going to subjugate our women to the same conditions that the Saudis set for theirs? Will we eventually be making any American female servicemember who deploys to Afghanistan wear a burqa?

The Dallas Morning News reported that Crown Prince Abdullah asked women to be barred from air traffic control duties when he traveled to Texas to meet with President Bush. So much for reciprocal “host nation sensitivities.”

Can you imagine that? Crown Prince Abdullah asked that women in our air traffic control towers be barred from those towers when he traveled to Texas to meet the President of the United States.

Don’t tell me about reciprocal “host nation sensitivities.”

I have also heard some say the burqa is just plain clothing; it just represents culture; that it is like the Indian sari. That is not true.

A Washington Times article on Saudi authorities seizing women’s robes points out this fallacy. The Washington Times’ story said the Saudi Ministry of Commerce confiscated 82,000 gowns from stores and factories after inspection showed they were not in conformance with Islamic law. I repeat, in conformance with Islamic law. The abayas were not plain and opaque, but rather were determined to be “provocatively clinging,” or too highly decorated, or too revealing.

Are our DOD officials going to be asking the Saudi Ministry of Commerce to determine whether our issued abayas are in conformance with Islamic law? Do we consult with the Saudi Committee for Preservation of Morality and Prevention of Vice—the morality police—on the appropriateness of our abaya purchases for our female soldiers? We are paying for them. We are buying these abayas with U.S. taxpayer dollars.

Let me provide a short history of this mandate. It surfaced somewhere in 1992, 1994, or 1995. There was never an abaya mandate during Desert Storm—never an abaya mandate during Desert Storm when we had 500,000 troops in the gulf. General Schwarzkopf never
ordered our women to wear abayas during the gulf crisis, nor were they ordered not to drive cars, which is another order given to American military women.

Let us consider the contradictions. Women in the military in Saudi Arabia are forced to wear the abaya by a final U.S. command decision. State Department women are not under any abaya mandate. If you are working for the State Department, or if you are the wife of an Ambassador, whatever, there is no mandate for you. Wives of military attaches, there is no abaya mandate. Even the Saudi Government never mandated the wearing of an abaya for non-Muslim women. I can’t find it anywhere. If somebody can find it, show me, because I can’t find it. No such mandate.

We are choosing to say that American military officers—outstanding U.S. military officers—have to wear an abaya to cover the uniform that they wear. I made that decision, and I don’t care if anybody knows anything about the military—know that the two things military officers like to show off are their fitness, because they work hard at being in shape, and their uniforms. Yet they are forced to cover up.

Colonel McSally explained that this is an indignity and an outrage we have perpetrated upon ourselves. We did this. The Saudis did not do this. The U.S. command did this. We are eventually making our women more vulnerable to harassment by making them wear an abaya.

Imagine the ridicule and the jokes that must occur back on the base and the insults these women have to take from colleagues over this. When a woman puts one on, she immediately places herself under the jurisdiction of the dreaded mutawa. You know who they are. In Saudi Arabia, they are the religious police.

The U.S. Embassy in Saudi Arabia points this out when it states that with regard to “force protection,” that “even with the abaya and scarf, harassment still occurs.”

The Embassy’s policy is sound and reasonable compared to DOD’s. It says, “The Embassy will support a woman in whatever personal choice she makes on the issue of not wearing an abaya or head scarf.”

That is the Embassy policy.

The State Department, unlike DOD, trusts women to make these decisions of their own accord and judgment. So the State Department says: You make the choice. If you want to wear an abaya, wear it. But the DOD says you have to wear it.

Let me tell you a little bit about the mutawa. One press report I found was of a female soldier harassed in Saudi Arabia because she was wearing an abaya. The religious police ordered her to cover her head, rapping a cane against the wall beside her head. This, again, proves the point that an abaya puts you at risk of harassment from the mutawa.

They knew she was an officer so they harassed her. They knew she was a soldier, because she was walking with some guy wearing Bermuda shorts who had a crewcut. They knew he was an officer in the military, and they knew she was, too. So they chose to harass her.

DOD women are instructed to carry the veil. Imagine, this is DOD women instructed to carry the veil, and told to put it on immediately if they are confronted by a abaya.” This, again, makes my case, that women are subject to harassment for wearing an abaya and more likely to be left alone if they are dressed in other garb, tourist clothing, or their uniform.

Tourists are not required to wear abayas. The Saudis only encourage tourists to wear conservative western dress. Forcing a female soldier to wear an abaya actually identifies her as an American. If she were wearing conservative attire, she would blend in with the other women, and there would be nothing said about it.

One other story about the mutawa. My colleagues should be aware of this story. The mutawa are the religious police in Saudi Arabia. They recently quietly forced 15 school girls in the U.S. military in Saudi Arabia. These were Saudi girls. These school girls—here is what they did wrong—they were trying to flee their burning school. They were trying to flee their burning school, but because the mutawa were not happy, they did not have their full abaya garb on—they were forced back into the flames by the religious police. Do you know what? Not one major news organization in our country carried the story front page, that I know of. I will stand corrected if somebody can produce one. It is a shocking incident. They forced the deaths of 15 girls because they were trying to run out of a burning building, their school, and did not have their full abaya garb on. This is the reality of the mutawa. Those are the people who are harassing our military personnel when they are forced to wear these abayas.

Yet consider the fact that our policy in Saudi Arabia towards our female soldiers seems to be done in deference to these religious zealots, not the ordinary Saudi or the Saudi Government. The link is the same one who recently caused the senseless deaths of these 15 young women in their own country for their lack of a head scarf. This is the issue of the mutawa. Those are the people who are harassing our military personnel when they are forced to wear these abayas.

And because the mutawa wants these women to wear burqas or abayas, we are going to kowtow to that? And we cannot get the local commander to pull back from this rule, this order. We ought to be thankful, the Saudis, that they are still a country. If they did wrong, they did something such as this, allowing 15 school children to die because they did something such as this, allowing 15 school children to die because they did not have a head scarf on when trying to run out of a burning building?

They ought to be thankful, the Saudis, that they are still a country. If it had not been for us, they would be living under Saddam right now. Our military personnel—our men and women—should not have to put up with this kind of stupidity.

Again, I am here on the Senate floor, taking my colleagues’ time, to offer this amendment because we could not get the local commander to pull back from this rule, this order. These are the same people, these self-annointed religious police, whom we seek to accommodate under the rationalization that our host nation will not use profanity on the Senate floor, but “host nation sensitivities” can go straight to that place way down below as far as I am concerned. Maybe we need to have some sensitivity training for the host nation. Maybe that is the idea. Maybe that is what we should do.

I do not need to repeat that this Nation is a superpower. We ought to act like one. Our military is the envy of the world. Our men and women in uniform are proud of those uniforms, as I am. If we cover them up, and put them on, we ought to be thankful, the Saudis, that they are still a country. If they did something such as this, allowing 15 school children to die because they did something such as this, allowing 15 school children to die because they did not have a head scarf on when trying to run out of a burning building?

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The Air Force’s argument in the yarmulke case can be summed up thus: The considered professional judgment of the Air Force is that the traditional outfitting of personnel in standardized uniforms encourages the subordination of personal and religious identities in favor of the overall group mission.

That is exactly right. That is the point.

Uniforms encourage a sense of hierarchical unity tending to eliminate outward individual distinctions except for those of rank. The Air Force considers them as vital during peacetime as during war because its personnel must provide an effective defense on a moment’s notice; the necessary habits of discipline and unity must be developed in advance of trouble.

Let me use, for a moment, an anecdot e, a fictitious anecdote, but one that likely happened.

A person like Colonel McSally decides to drive off base on duty, in a jeep, with three other officers. First of all, according to this rule, she has to sit in the back because she is not allowed to drive the car. And the other three officers, in this fictitious example, which probably happened, are junior to her. She is the senior officer. She is the senior officer. She is the senior officer. She has to wear an abaya to cover herself up from head to foot so nobody knows she has the uniform on.

How humiliating is that? Give me one good reason anybody would support that? There is not a person in that jeep who would ever say that she should have to do that. They would be willing to take any risk that might come their way, if there were some亲身 experience, would not have to do it. And she tried to change this for years, to no avail.

How far we have come. Martha McSally is not asking to wear a religious garment not of her faith.

She is arguing not to be wearing a religious garment not of her faith.

Interestingly, the Senate disagreed with the decision by the Supreme Court that disallowed the wearing of a yarmulke. The Senate voted 55-42 for a Lautenberg amendment that would have allowed first amendment expression by permitting “neat and conservative” religious attire, but letting the DOD decide when wearing such apparel interfered with members’ duties.

Many Senators still serving today voted in favor of that Lautenberg amendment.

The Reagan administration supported the Air Force, and the Senate amendment was never enacted into law.

The Senate vote was a defense of religious expression. Fifteen years later, we are facing a grievous situation where our service women in Saudi Arabia and others in the Middle East are being pressured to conform to their religion’s garb in conflict with their faith and which subverts the discipline and uniformity of the U.S. military uniform.

This is intolerable, humiliating, deplorable, and it is unjustifiable. I would be happy to provide for the record the numbers of letters and phone calls I have made in the last year or so, to try to avoid coming here on the Senate floor to have this put into the legislative process—to no avail. I see it primarily as a first amendment issue in that we should not be conforming by dress to a foreign state religion. It is also an issue of gender discrimination.

Support for this mandate comes from all directions—the left and the right of the political spectrum, from the Rutherford Institute, which sued the Air Force over this policy and on behalf of Lt. Col. McSally, to the National Council of Women’s Organizations, an umbrella organization.

The PRESIDING OFFICER (Mr. WYDEN). The time of the Senator from New Hampshire has expired.

Mr. SMITH of New Hampshire. I didn’t realize I was under a time constraint. I ask unanimous consent for 2 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMITH of New Hampshire. Support for lifting this mandate comes from both the left and right—the Rutherford Institute, which sued the Air Force on behalf of Lt. Col. McSally, to the National Council of Women’s Organizations, an umbrella organization which now includes such well-known members as the League of Women Voters, the National Organization of Women, Women in Government, the YWCA, Hadassah, and the Feminist Majority Foundation. The House has already spoken, approving a similar bipartisan amendment by Representatives LANGEVIN, HOSTETTLER, and WILSON to repeal the mandate and stop the DOD from purchasing abayas. We purchase these coverings, nothing else. The taxpayers are paying for the abaya.


We need to be more aggressive. We need to be even confrontational with the leadership of the Saudi government in those occasions when they’re not doing enough, and when they are sponsoring this propaganda of the ilk we’ve... seen.

He was talking about fighting terrorism. The same advice should apply to the Saudis when it comes to making our female troops wear Muslim clothing. We need to stand up to the Saudis, stand up for women in the military. We also need to stand up for ourselves as a nation, stand up for our values and our beliefs.

I also note that the chairman of our Armed Services Committee made a pointed comment when the abaya issue surfaced about disrespect for female servicepeople in Saudi Arabia, and maybe we should reconsider our bases there in light of this disrespect.

I totally agree with the distinguished Senator from Michigan. I urge my colleagues to support this amendment.

To repeat the four points this amendment addresses, it says: You cannot require or encourage an abaya to be worn; No. 2, no adverse action against women who choose not to wear it; No. 3, no money to procure abayas for regular or routine issuance; and No. 4, the Secretary must provide instructions to this effect immediately upon arrival in Saudi Arabia. That is it. That is the amendment. That is what it does.

I urge my colleagues to support my amendment, and I yield the floor and thank my colleagues for their attention.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Does the Senator from Massachusetts wish to speak on this amendment?

Mr. KENNEDY. Just for a moment, if I have the opportunity to speak on another amendment as well. I will follow whatever procedure the chairman wishes.

Mr. LEVIN. Does the Senator from Vermont wish to speak on this amendment?

Mr. JEFFORDS. I wish to follow the Senator from Massachusetts on this amendment, yes.

Mr. LEVIN. On the pending amendment?

Mr. SMITH of New Hampshire. I reserve the right to object.

Mr. LEVIN. I wonder if I could ask the Chair, is there a time agreement on this amendment?

The PRESIDING OFFICER. The time was evenly divided until 5:45. The Senator from Michigan does control all of the remaining time.

Mr. LEVIN. Mr. President, I yield myself 4 minutes on this amendment.

Then if no one else wishes to speak on the amendment, it will be up to the author of the amendment if he wishes to speak further. I would suggest that the time that remains between 5:45 and 5:55 be used for other purposes, if there is nobody who wishes to speak further on this amendment. I yield myself 4 minutes on the amendment.

Mr. SMITH of New Hampshire. If the Senator will yield for a moment, I did have a couple of requests from Senators who may be here to speak. That is all. I didn’t want to ignore that request. I have no objection to the Senator speaking to another matter. If the Senators do come down and wish to speak, I would like them to have that opportunity.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. With that understanding, I will proceed and yield myself 4 minutes.

Mr. President, I strongly support the amendment of the Senator from New Hampshire to prohibit the requirement or the encouragement that our female service members serving in Saudi Arabia to wear an abaya when they leave their military bases.

service members leaving military bases in Saudi Arabia to wear the abaya, a traditional religious garment for Saudi women. The rationale for this policy was force protection, respect for host nation customs, and preventing conflicts with the Saudi religious police.

This policy came to a head in December 2001, when Lt. Col. Martha McSally, an Air Force pilot stationed at Prince Bandar air base, initiated a lawsuit against DoD seeking a court order declaring the policy unconstitutional. In January 2002, the military announced a change in the uniform policy, making wearing of the abaya “not mandatory, but strongly encouraged.” Lt. Col. McSally claimed this was insufficient and did little to change de facto pressure on military service women to conform to the old policy.

Mr. President, Lt. Col. McSally is the highest ranking female Air Force jet pilot. She is an Air Force Academy graduate with a Masters degree in a Desertion and has over 100 hours as a rescue pilot. When she refused to wear the abaya, Lt. Col. McSally was criticized for her unprofessionalism and lack of leadership. When she told her commanding officer she will not put her life on the line, she risked her career for the rights of America’s female service members and, I suggest, for the rights of all of us.

Lt. Col. McSally is an officer who has patrolled the no-fly zone in Iraq and led search-and-rescue missions in Afghanistan. She is asked every day to be ready to save the lives of her fellow service members. Yet we deny her and all female service members serving our Nation in Saudi Arabia the same rights as their male counterparts as soon as they leave the base.

The Department’s decision to change the requirement for female service members stationed in Saudi Arabia to wear the abaya can result in a “strong encouragement” is, at best, a superficial change. A “strong encouragement” is practically the same as an order in military terms. The State Department doesn’t require female foreign service officers to wear an abaya in Saudi Arabia. Forcing service members to conform to a religious code not of their own violates their religious freedoms. Requiring, or “strongly encouraging,” female service members to wear the abaya is offensive, and it is demeaning to people who do not believe in the same religion as those presumably putting pressure on the U.S. to require wearing an abaya. At the same time that we are asking our female service members to risk their lives to fight for the liberties we cherish, we are denying them the very freedom they are defending, simply because they are stationed in a country with different cultural norms. This is not acceptable.

The amendment before us would correct this policy by prohibiting, requiring, or encouraging our female servicemembers to wear an abaya when serving in Saudi Arabia. It would also prohibit taking adverse action against servicemembers for choosing not to wear an abaya while assigned or on temporary duty in Saudi Arabia. Further, it would prohibit the use of Department of Defense funds to procure or pay for anyone who is not authorized to wear an abaya while serving in Saudi Arabia and would require the military to inform female servicemembers of these prohibitions when they are ordered to duty in Saudi Arabia.

Mr. President, this is simply the right thing to do for our servicemembers who so loyally serve our country wherever we ask them to serve.

I congratulate Senator Smith for his initiative in this matter. I think it is a very significant statement about what we are all about and what our military is all about. I hope the Senate will adopt this amendment.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. WARNER. Mr. President, I join strongly in recommending that our colleagues support Senator Smith’s initiative. And I associate myself with the remarks of our distinguished chairman. This is something that has to be corrected right now. We have extraordinary women performing in almost every capacity of our military today. This is one of those situations where maybe there were the best of intentions at one time, but it is out of hand now. It is time to correct it with finality and clarity. We are doing that with the Smith amendment.

I yield the floor.

Mr. GRASSLEY. Mr. President, I’m pleased to join Senators Smith and Cantwell, along with several other Senators, in proposing an amendment to end, once and for all, an ill-conceived and discriminatory policy in the U.S. Military.

Seventy years ago, the United States Central Command instituted a policy that requires our female service members in Saudi Arabia to wear an abaya while on official duty in an official capacity. The Kingdom of Saudi Arabia requires its women to wear garment called the abaya, it is a covering which extends from head to toe on a woman. It is part of the Muslim faith and their customs and traditions.

The Saudi Arabian government does not require American women living or visiting in Saudi Arabia to wear the abaya. Rather, both men and women are encouraged to wear modest American clothing.

When visitors come to my home, I anticipate they will abide by the rules I have established in my home. Therefore, I respect the wishes of the Saudi government, that when westerners enter Saudi Arabia, westerners should wear modest clothing. I would not want to violate the customs of a host country.

What I cannot understand is why the Department of Defense has determined that American service-women must wear the abaya when they leave the confines of the military presence in Saudi Arabia. The host government does not mandate that service women wear the abaya. More importantly to me, the
Saudi government does not require our service women to dress differently from our service men. However, our very own Department of Defense requires our service-women to dress differently from our service men. This is unjust and outrageous.

Our service women are equals to their male counterparts in the Armed Services. Women have died and bled in defense of this country. They can fly fighters, pilot helicopters, and drive ships. Those rights did not come easily. Roadblocks were put in the way, and I thought they have been overcome. But now, the Department of Defense wants to make our first-rate women soldiers second class citizens in the United States military.

I hope the Senate will approve this amendment and stand with the House of Representatives, which passed similar legislation, to send a strong message to the Department of Defense that women in uniform are not second class citizens.

In closing, I want to salute the women who brought this issue to America’s attention. Lieutenant Colonel Martha McSally has always been a warrior. She fought the Pentagon’s bureaucracy to become one of the first female fighter pilots. And, now she has to fight the Pentagon, once gain, in a court of law to overturn the Pentagon’s abaya policy. Colonel McSally you serve as an inspiration to young women across the United States who want to serve their country. Today, I hope the Senate can come to Colonel McSally’s defense, and all women serving in Saudi Arabia, to lift this irrational Pentagon rule.

Mr. SMITH. Mr. President, I ask unanimous consent that Senator Mikulski be added as an original cosponsor.

Mr. LEVIN. Mr. President, I will yield some of the time to Senator Surratt of Vermont. Apparently, I control the time. Why don’t I yield 5 minutes to Senator Smith under his control, and then yield to Senator Kennedy for 12 minutes, and then yield to Senator Jeffords for 10 minutes. That is just about right.

Mr. WARNER. May I inquire as to the subject of the Senator from Vermont?

Mr. JEFFORDS. It is about homeland security.

Mr. WARNER. We are very anxious to get to the Kennedy matter.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, first of all, I congratulate my colleague from New Hampshire for an excellent presentation. I look forward to supporting it for reasons that he has outlined. He made a very compelling case here this afternoon.

Mr. President, I ask unanimous consent that the Smith amendment be temporarily laid aside so that I may call up amendment No. 3918.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I also ask unanimous consent that immediately upon the reporting of my amendment, it be laid aside, and the Senate resume the consideration of the Smith amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3918

Mr. KENNEDY. Mr. President, I send an amendment to the desk.

The clerk will report.

The assistant legislative clerk reads as follows:

The amendment numbered 3918.

Mr. KENNEDY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is printed in the RECORD of Thursday, June 20, 2002, under "Text of Amendments."

Mr. KENNEDY. Mr. President, I have 12 minutes. I see my friend from Hawaii. He wanted to speak on my amendment, so I’m sure I remind me when 9 minutes is up, if there is no objection, I will let the Senator from Hawaii speak for 3 minutes, if that is all right, following me.

Mr. KENNEDY. I will yield myself 9 minutes.

Mr. President, as I understand it, for the benefit of the Members, we are going to vote at 5:45. I bring to the attention of the floor leaders that we can have a vote on this at a time agreeable sometime in the middle of the morning tomorrow. We will have additional time to discuss this.

I offer this amendment to promote public-private competition for Department of Defense work. Today, there is far too little real competition for contracts to provide goods and services to Federal agencies. We should be getting the most out of every taxpayer dollar. So if a Federal agency could do the job better and cheaper than a defense contractor, the Federal worker should get the job.

Today, less than 1 percent of Department of Defense service contracts are subject to public-private competition. Only a tiny fraction of the more than 2 million small real competition. As a result, we are depriving loyal and dedicated public workers of the chance ever to compete for their own jobs. At the same time, we are depriving the American people of the efficiencies they deserve, especially as we take on today’s great challenge in defending the security of our Nation.

My amendment would lower costs for taxpayers and enhance our Nation’s readiness by promoting expanded public-private competition.

Over the last decade, there has been a massive shift in who does the work for the Department of Defense. This work has shifted dramatically from civil-
seriess. But when we have the results, as I mentioned, the fact we have bolts and self-locking nuts, radio transformers, routine matters—I have a list of over 30 items right here in my hand—cable assembly; linear microcircuit; aircraft stifferen, $125, sold for $5,400; insulation, $1, sold for $2,350.

Why do we tolerate it, Mr. President? How can the Defense Department not be willing to accept this? I believe I have about 3 minutes. I yield those remaining 3 minutes to my friend and colleague from Hawaii, Mr. AKAKA. Mr. President, I thank Senator KENNEDY for the time.

Mr. President, I rise in support of an amendment to the DOD authorization bill that takes important steps to enhance cost-effectiveness and accountability in Government. I am pleased to have worked with Senator KENNEDY to offer the amendment to improve financial transparency and cost savings in procurement policies.

This amendment will promote sensible procurement policies by requiring cost savings before decisions are made on public-private competition. The requirement that the government show a 10-percent cost savings prior to outsourcing has been a part of the commercial activities analysis for many years and is considered standard practice. I tried to codify the 10-percent cost-saving provision last in the National Defense Authorization Act for Fiscal Year 2002. I was met, however, with opposition because the Commercial Activities Panel had not yet completed its review. I am happy to report that the Commercial Activities Panel completed its review last month and I am renewing my efforts, with my colleagues, to codify the 10-percent cost-savings provision. It is important to note that the amendment includes a provision which allows the Secretary of Defense to waive the cost-savings requirement if national security interests are compelling.

This amendment would promote public-private competition by ensuring that federal employees have the opportunity to compete for existing and new DOD work. It strengthens fairness in public-private competitions by ensuring that DOD competes an equitable number of contractor and civilian jobs. It achieves this end through increased transparency by establishing measures to track the true cost and size of the DOD contractor workforce.

The amendment offers wide discretion to the Department by creating a number of exemptions from the requirement of public-private competition. The amendment gives the Department the authority to waive public-private competition requirements when national security requires such action.

I yield back my time.
of our citizens, and by our actions show that we practice what we preach. The military has gone to great lengths to communicate to the troops that they are respected regardless of race, religion or gender. But encouraging our military women in Saudi Arabia to wear the abaya while off duty would communicate the opposite viewpoint . . . it reinforces gender stereotypes and sends the message to our soldiers that women are not equally valued.

The Department of Defense policy requiring military women to wear an abaya whenever they went off base, and other measures directed exclusively towards women, started shortly after the Gulf War. It is important to note that during the war, General Schwarzkopf worked closely with the U.S. military and the consulate in Dhahran on the Gulf coast to set up liaison procedures with the Saudis that would nip problems in the bud. As a result, while women were encouraged to wear the abaya while off base, they were not required to. Nor were they required to sit in the back seat of motor vehicles. Nor were they forbidden from driving, since they were not required to sit in the abaya when off base, they were not required to wear the abaya and when not wearing the abaya, they were not subjected to beatings . . . that if they do not wear this garment, they will not be allowed to do, too. This situation, and the fact that Riyadh is one of the most conservative areas of the country, may have been the reason the Joint Task Force Southwest Asia commander acquiesced to these new policies. The consequence of this, however, is a policy that sets up a double standard and denigrates female personnel in the U.S. military.

After the Kobar Towers bombing in 1996, the primary reason for the restrictive policies towards women changed to “force protection.” The Department of Defense states that this policy is for the protection of the military women . . . that if they do not wear this garment they would be subject to beatings and arrest by the Department of Defense states that if women do not wear the abaya, male military personnel would be subject to harassment and arrest.

Frankly, any action taken against U.S. military personnel—male or female—by the Saudi religious police—the Mutawa—for purported infractions of their strict behavioral codes should be strongly protested by the military and the state department to the Saudi government. Although women have been harassed, both while wearing the abaya and when not wearing the abaya, I have no information that any protest about the Mutawa’s actions has ever been initiated either by the State department or the Department of Defense.

I understand that the norms for public behavior in Saudi Arabia are extremely conservative. According to our own or-dear that travel advisory regarding proper attire and behavior when visiting Saudi Arabia, visitors, both male and female, should wear very conservative clothing, and behave so as not to draw attention to themselves.

For women, skirts should be ankle length, sleeves wrist length, and necklines above the collarbone. Pants and pantsuits may attract unwanted attention. The Mutawa are charged with enforcing these standards. Although the climate in Saudi Arabia is very hot, and lightweight clothing is recommended for travelers, the abaya consists of a black material that, along with the headscarf, covers the wearer from head to foot. However, I think it is important to recognize that the Saudi government does not require non-Muslim women to wear the abaya.

While U.S. military women have been required to wear the abaya even when on duty, official State department policy is that its female personnel on official business are expressly forbidden from wearing the abaya because they are representing the United States Government. These women may wear the abaya when off-duty if they choose, and many State department female employees do choose to wear the garment when not on official business, in deference to the Saudi culture.

The Department of Defense now says that it will change its policy from explicit ordering that women wear the abaya while on duty but off base, to a policy that “strongly encourages” wearing an abaya. Women in my state who have been stationed with the military in Saudi Arabia tell me that the words “strongly encourage” are tantamount to an order. There is no choice. Many other men and women from my home state of Washington have written me expressing concern that the Department of Defense policy in Saudi Arabia treats women that if they choose to wear the abaya garment over their clothes when they leave the base.

One of my constituents, a veteran from Kent, WA, wrote to say “women that have served this country honorably and distinguished themselves in battle deserve our respect and support.” He applauded the willingness to women, especially Lieutenant Colonel Martha McSally, the Air Force Colonel who first brought this attention to national attention, for “her willingness to stand up and believe in our values and unreasonable orders for females in the services to wear an abaya and be subject to other demeaning practices when they are stationed in Saudi Arabia.”

Another veteran from Olympia, WA, who writes that he is “appalled at the treatment of a true American hero . . . [while] the Pentagon demeans her with an embarrassing dress code while in Saudi Arabia.”

Another constituent from Seattle, WA, was a military police officer in the U.S. Army, and wrote that she was “infuriated to learn that our military women in Saudi Arabia are being subjected to wearing the abaya and asked that we immediately rescind these regulations.

We are not advocating that military women be able to wear tank tops and shorts when off base in Saudi Arabia . . . but we do believe that wearing the recommended conservative clothing maintains a woman’s dignity and status among our U.S. troops stationed there. We need to balance host nation sensitivities with our nation’s goal to promote American ideals in the Middle East.

The fact of the matter is that what it comes down to, when you value people, you give them freedom, including the freedom of self-determination. That is what care and what our country represents across the world.

As U.S. Senators, we should strive to ensure that our military men and women are treated fairly wherever we send them to accomplish our country’s goals. Americans know that as we serve overseas are there by agreement of the host nation, and that the host nation can withdraw that agreement when they see fit. I also understand and believe that Americans should respect and abide by a host nation’s laws.

Yet, every military member is a representative of our country and a soldier-statesman whether a private or a general. When they represent us, they represent our democratic ideals. Soldiers, both men and women, are fighting for our democratic principles. We want our military personnel to abide by the rules of the country in which they are stationed, but we should not impose stricter rules on only one group of our soldiers, especially when it is not required by the host nation.

The Department of Defense has had ample opportunity to rescind this policy, but they have only made token attempts to change its policy in a manner that effectively leaves its original policy in place. There is no doubt that the Department of Defense needs the flexibility to ensure the force is protected and our country’s military readiness is not impeded. However, this must not be done at the expense of our female soldiers’ civil and religious freedoms. There are approximately 1,000 women stationed in Saudi Arabia. It inconceivable that while we entrust these women and ask them to put their lives on the line, at the same time we are asking them to succumb to outdated ideas about what individuals can or cannot do because of gender.
Last month, the House, by voice vote, unanimously approved similar legislation. We are here today to complete the circle and show our support for our women in uniform who not only have to fight our enemies, but also appear to fight for their rights within our own military.

While there are sometimes conflicts in what the military wants, and what the civilian leadership wants, we must remember that the military answers to its own leadership. If Congress didn’t use its authority to require the military to change its policies, our service academies would still be all men, our fighter pilots would still be all men, and our ships would still be all men. And our military would be a shell of what it is today, because without women, the military could not function as a professional, all-volunteer force.

Mr. President, I want to take a moment to acknowledge the hard work of Darlene Iskra, a legislative fellow in my office. Darlene is a retired Navy Commander; in fact, she is the first woman ever to command a U.S. Navy ship. Her work in my office, and especially on this issue, has been invaluable.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. Who seeks time?

The Senator from Wyoming.

Mr. THOMAS. Mr. President, I rise to speak in opposition to the Kennedy amendment.

In 1998, this body passed unanimously the Federal Activities Inventory Reformation Act of 1998. I was one of the principal sponsors. The FAIR Act was passed unanimously, as I said. It was a carefully crafted compromise at that time between the private sector and the unions. The first time taking a hard look at the private sector. The following information sheet outlines the Department's views on the proposed Kennedy amendment.

Very briefly—and this is from the Department of Defense—the amendment would increase costs to the Department by over $200 million a year. By requiring 10-percentage point savings with no limitations, DOD will not be able to take advantage of savings greater than $10 million but less than 10 percent.

Mr. WARNER. Will the Senator yield for a question on that cost point?

Mr. THOMAS. Yes.

Mr. WARNER. That derives from the 10-percentage differential, does it not?

Mr. THOMAS. Yes, sir.

Mr. WARNER. It does not include the costs of the hiring and the training and incalculable number of new Federal employees; am I not correct?

Mr. THOMAS. The Senator from Virginia is correct. Indeed, the Secretary says the added costs to which the Senator refers are likely $300 million per year in addition.

Mr. WARNER. In addition. I thank the Senator.

Mr. THOMAS. He says further:

The amendment would adversely impact mission efficiencies and effectiveness. I just got through saying we unanimously adopted the outsourcing bill, the FAIR bill. This amendment, according to the Department of Defense, would foster insourcing which would exacerbate the Federal human capital crisis we are now in, in this war on terrorism.

Finally, he indicates it preempts the congressional intent. This amendment would preempt implementation of the recommendations of the congressionally mandated, GAO-sponsored, commercial activities panel.

I intend to spend a good deal more time talking about this as we have more time after the vote. There are a number of others who wish to speak as well, and I will say I will object to any certain time before noon tomorrow for a vote on the Kennedy amendment.

Yield the floor.

VOTE ON AMENDMENT NO. 3969

The PRESIDING OFFICER. All time has now been yielded back.

Mr. SMITH of New Hampshire. Mr. President, I ask for the yeas and nays. The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The question is on agreeing to amendment No. 3969.

The clerk will now call the roll.

The motion to lay on the table was agreed to.

Mr. LEVIN. I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, is it clear that the matter has been reconsidered and laid on the table? The PRESIDING OFFICER. It has been so ordered.
Mr. WARNER. Mr. President, I thank the Chair. The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I just came down and voted, and I am not aware of the parliamentary situation. But I wonder if it would be appropriate to get 5 minutes on a very urgent subject.

Mr. REID. Will the Senator yield?

Mr. DOMENICI. Surely.

Mr. REID. We see a number of people on the floor. We see the Senator from Kansas is here, the Senator from New Mexico, the Senator from Arizona. And I know the two managers have some work to do on the bill. I am wondering how long the Senator from Kansas wishes to speak.

Mr. BROWNBACK. About 5 minutes.

Mr. REID. Is that on the pending amendment or some unrelated matter?

Mr. BROWNBACK. On the pending amendment.

Mr. REID. On the pending amendment?

Mr. WARNER. And Senator DOMENICI wants to speak.

Mr. REID. Senator DOMENICI wants to speak on an unrelated matter.

Mr. WARNER. And I believe my colleague from Arizona and New Mexico want to speak on the pending amendment.

Mr. DOMENICI. However you would like it. You would rather I speak on the pending amendment?

Mr. REID. The Senator from New Mexico may speak on whatever he wishes.

Mr. DOMENICI. I was just kidding.

Mr. REID. I just want to make sure we have a lot of conversation on this amendment. I am sure we would allow the Senator from New Mexico to speak as in morning business. Is that what the Senator wishes to do?

Mr. DOMENICI. I ask for 5 minutes—not on this—as in morning business. And thank the Senator.

Mr. REID. Mr. President, I ask unanimous consent that the Senator from New Mexico be recognized to speak as in morning business for 5 minutes, and that following his statement we turn to the pending amendment, the Kennedy amendment, and that Senators then speak to their hearts' content on that matter.

Mr. WARNER. Mr. President, reserving the right to object, I wonder if I might, as a manager, be recognized first in the order of those to be recognized following the Senator from New Mexico.

Mr. REID. That sounds entirely appropriate. I ask unanimous consent that the manager of the bill, the Senator from Virginia, Mr. WARNER, be recognized following the statement by the Senator from New Mexico.

The PRESIDING OFFICER. Without objection, it is so ordered.

The remarks of Mr. DOMENICI are printed in today's RECORD under "Morning Business."

The PRESIDING OFFICER. The Senator from Virginia is recognized.
The amendment would undermine the robust competition for government service work that currently exists. The fact is that almost all of the work that would be affected by this amendment is already routinely competed in a robust and aggressive marketplace. According to the Federal Procurement Data System, in FY00 72 percent of all service contract actions—and more than 90 percent of all information technology contract actions—were subject to competition. Of the remainder, over 50 percent were contracted privately, for example, electricity or water—for which there was only one available provider. By contrast, less than two percent of all service work performed by Federal employees is subject to the competition of any kind.

When Federal employees are subjected to the competition of any kind, they are subject to the competition of any kind. By contrast, less than two percent of all service work currently exists. The government should not be involved in commercial activities. The amendment would devastate small businesses. Small businesses account for 35 percent of Federal contract dollars. Yet the amendment would exclude most small businesses—particularly woman-, minority-, and veteran-owned companies—from participating in service contracting, because of the added costs and time associated with the A–76 process, when compared to traditional procurements. Small businesses just don’t have the capital to wait several years to begin work. They would, in effect, be excluded from new Federal contracts under this amendment.

In general, the cumulative effect of the provisions of the Kennedy amendment would add significant costs to Department of Defense operations. These costs would result from: (1) The vastly increased use of the burdensome A–76 process for contracting-out or contracting-in decisions; (2) the delay of up to 3 years in providing essential operational support services because of the expanded A–76 requirements; and (3) the loss of DOD administrative resources from mission critical support to administer a several fold increase in burdensome, labor-intensive A–76 studies.

I hope my colleagues will reach the conclusion that this amendment does not succeed in resolving the underlying problem the amendment is trying to address—that is, how to structure public-private competitions that are fair, transparent, and protect the rights of Federal employees while ensuring that DOD receives quality solutions at the best value to the taxpayer to meet its missions and responsibilities in our fight against global terrorism.

I urge my colleagues to defeat this amendment.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, I rise to speak on the Kennedy amendment to the DOD authorization bill. When I was sworn into the Senate, I chaired a subcommittee within the Governmental Affairs Committee that dealt with this issue. We held a number of hearings on the topic of public-private competition. I wish to talk briefly about this legislation and the background of it and why I don’t think it is a good idea to move forward on it at this time.

In 1998, Congress passed the Federal Activities Inventory Reform Act, the FAIR Act. I was a strong supporter of this legislation, and it passed the Senate unanimously in 1998. This piece of legislation was a compromise between the private sector and unions that, for the first time, codified a process to help assure proper implementation of the 47-year-old Federal policy that states:

The government should not be involved in commercial activities. That was a simple Government policy for 47 years, and the FACT Act codified and fleshed out that simple statement, a statement with which everybody agreed.

The goal of the FAIR Act was to eliminate the Government’s direct competition with the private sector—again, unanimously passed by this body—while at the same time providing a level playing field of taxpayers’ dollars. The FAIR Act created a more cost-effective and streamlined Federal Government and people agreed with that. Much of the FAIR Act was pushed forward by the Clinton administration. The Kennedy amendment, as written, applies only to the Department of Defense. It directly impacts the FAIR Act.

This amendment would create a two-tier contracting system setting up different standards for DOD versus civilian agencies. That is the first problem.

Next, this amendment would revise the steps that were made with enactment of the FAIR Act. That is the next problem with the amendment. This is a policy that was unanimously agreed to by this body. The Kennedy amendment, for the first time, would mandate the Federal Government compete with the private sector for work not currently being performed by Federal employees.

The Kennedy amendment would increase the size and the cost of the Federal Government.

The amendment would adversely impact DOD’s mission, efficiencies, and effectiveness because all service contracts would be significantly delayed.

If enacted, DOD would lose the flexibility it needs to purchase innovative solutions to improve our military’s performance and national security. This delay would increase the cost to the Department of Defense by over $200 million, not an insignificant sum at a time when we are looking at deficit spending and trying to figure out ways to curtail deficit spending and get back into surpluses.

Furthermore, this amendment would complicate DOD’s procurement process, cost the taxpayers more money, and increase dramatically the number of DOD employees. This is not necessary the direction in which most people desire to go.

The amendment would hurt small businesses by making it harder for them to compete in the business process. It goes against longstanding goals of both Democratic and Republican administrations.

The Kennedy amendment ignores the progress made under the Clinton administration’s policy in its recent initiative of streamlining the Government procurement process. The Kennedy amendment also is counter to the efforts by the Bush administration aimed at performance-based contracting and increasing Government efficiencies.

The Bush administration opposes this amendment. Secretary Rumsfeld said:

The Kennedy amendment would increase Department cost by requiring public-private competitions for new functions and for previously contracted work already subjected to market competition. It would also adversely impact mission effectiveness by delaying contract awards for needed services. The proposed amendment would increase Department costs and dull our warfighting edge.

This matter is not a union versus nonunion or labor-management issue. Several groups have come out already against the Kennedy amendment, including the U.S. Chamber of Commerce, Laborers’ International Union of North America, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Fitters and Helpers.

A similar amendment offered by Representatives ALLEN and ANDREWS was defeated by the House when it was considered during its version of the Defense authorization bill for 2003.

As we face the challenges of homeland security and national defense, keeping our borders, economy, and society safe and free, we need to create more efficient and effective partnerships between the public and private sectors. Now is not the time to restrict the Department of Defense’s competitive sourcing policies with this amendment.

I think this is an ill-advised procedure for us to enter into at this time. It goes against the longstanding bipartisan effort to not have the Federal Government competing with the private sector. There is no reason for us to go into this at this time. It really will be harmful to our overall operation. For those reasons, I oppose the Kennedy amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. CARPER). The Senator from Kansas yields the floor.

The Senator from Wyoming.

Mr. LEVIN. Will the Senator yield?

Mr. THOMAS. Certainly.

Mr. LEVIN. Mr. President, if I may have a colloquy with Senator WARNER for a moment.

Mr. President, I wonder if Senator WARNER and I can agree on the following order: That after Senator THOMAS has finished, then Senator KYL be recognized perhaps at 3:07 o’clock, and after Senator KYL has finished, we go into a period for morning business with Senators to be recognized for not
more than 10 minutes each; that as soon as Senator KYL is recognized, that will be it for the day. We will do our cleared amendments in the morning rather than trying to do them tonight. We will try to proceed in the morning after we have had an opportunity to review the amendment that Senator WARNER has shared with me now relative to missile defense.

Mr. WARNER. Mr. President, I am basically understanding that at the conclusion of the debate by those Senators designated, we will conclude all work on the authorization bill and go into morning business, subject, of course, to whatever the leaders wish to take place.

I have provided the distinguished chairman with the proposal on missile defense that I have. It is my hope we can debate that tomorrow, establish a time agreement giving all a reasonable amount of time for debate, spend some time in the afternoon, and have a vote tomorrow afternoon, so we can then move into Wednesday in the expectation we can conclude this bill on Wednesday.

Mr. LEVIN. It is surely our hope we conclude as early as possible this week, but I will reserve judgment on the amendment relative to missile defense that Senator WARNER shared with me until after we have had a chance to read it and study it.

The PRESIDING OFFICER. The Senator from Wyoming, Mr. THOMAS, is recognized.

Mr. THOMAS. I thank the Chair, and I thank the floor managers of the bill for arranging this time and setting it up for us. I affirm the importance of something that I think Senator WARNER has always for his courtesy. He is wonderful to work with. We will try to get back with him either tonight by phone or first thing in the morning relative to a possible procedure tomorrow.

As he stated, after Senator THOMAS and Senator KYL have completed their remarks tonight relative to the Kennedy amendment—I ask unanimous consent that after these two Senators have finished their remarks relative to the Kennedy amendment, there be a period for morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

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As he stated, after Senator THOMAS and Senator KYL have completed their remarks tonight relative to the Kennedy amendment—I ask unanimous consent that after these two Senators have finished their remarks relative to the Kennedy amendment, there be a period for morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.
Ship Builders, Blacksmiths, Forgers, and Helpers, and others, as well as small minority- and women-owned businesses. It is quite a large list.

So it is interesting, and I think very important, to recognize the number of groups that sat down and expressed their opposition to the amendment we are seeking to deal with now.

This time, of course, will be very important. We have some others who want to speak who will be coming out a little later to speak, as well as tomorrow. Again, there are many reasons that have been set forth as to why the Kennedy amendment should be stopped. The amendment would arbitrarily require the Federal Government to compete with the private sector for performance of noninherently government services, whether or not there is an incumbent Federal workforce performing the act. It is totally beyond what we sought to do unanimously in the Senate, and we are very interested in seeking to keep that from happening.

Over 50 years of bipartisan policy has mandated the Government should not compete with the private sector for noninherently governmental functions. Nevertheless, this amendment would require every new contract modification, task order, or renewal undergo a lengthy public-private competition under OMB Circular A-76, whether or not the Government even has the requisite skills or the personnel required to perform the work.

Today, less than 2 percent of all Government services contracted are conducted under A-76 because only that small portion of Government has been involved in the incumbent Federal workforce. So this changes things dramatically and not for the better. The amendment would cripple Government performance. The amendment would undermine robust competition for opportunities already exist. So there are a lot of things that are involved. One of them has been that the A-76 process has been one that has needed efficiency and streamline the Federal workforce. So this changes things dramatically and not for the better. The amendment would cripple Government performance. The amendment would undermine robust competition for opportunities already exist. So there are a lot of things that are involved. One of them has been that the A-76 process has been one that has needed efficiency and streamline the Federal workforce.

For those who do not know, the Office of Management and Budget’s Circular A-76 is the Government’s policy that is used to determine who can best provide products and services it needs. The circular defines Federal policy for determining whether commercial activity should be outsourced to commercial sources or kept within the Federal Government.

OMB Circular A-76 was first issued in 1966 and has been revised numerous times since. The A-76 process is very formal and intricate, often a lengthy process for conducting public-private competitions. In order to win an A-76 competition, an outside proposal must be at least 10 percent less than the Government proposal. The average A-76 study requires approximately 30 months to conduct. For years individuals within the Government and the private sector have criticized the A-76 process.

Two years ago, the Congress called upon the General Accounting Office to evaluate the A-76 process because of concerns about its effectiveness. A GAO panel unanimously agreed to 10 principles. In particular, the panel agree unanimously that public-private competition should not be mandated, particularly for already contracted or new work. However, that is exactly what the Kennedy amendment proposes. The amendment goes against the recommendations and therefore would cause us a great deal of slowness and indeed potentially losing the idea of the reconsideration and the changing of A-76.

The goals of the FAIR Act were very clear. They were to create more cost efficiency and streamline the Federal Government, to eliminate the Government’s direct competition with the private sector. This amendment would in fact do very serious damage to the FAIR Act. The amendment, for the first time, would mandate the Federal Government compete with the private sector. The amendment would drastically grow Government workers. Page 12 of the amendment allows for unrestricted growth. I can hardly understand why anyone would offer such an amendment in this wartime situation where the numbers are very difficult in the military.

Furthermore, as we have mentioned, the amendment would increase costs to the Department by over $200 million, which would complicate the process. So it is basically a step backwards in terms of what we have been seeking to accomplish over a period of time. I think the goals that have been out there have been shared by both Democratic and Republican administrations. The movement was forward in the last administration, slowed at the end, but now we have more movement in this administration than in the past to move toward private-sector activities. The administration is opposed to this amendment, and a similar amendment was offered in the House of Representatives and was defeated in the same authorization bill.

I hope Mr. Kennedy can take a long look at what this means in terms of the principles we have established in the past and are seeking to continue to establish.

I yield the floor.

The PRESIDING OFFICER (Ms. Stabenow). The Senator from Nevada.

Mr. REID. Madam President, this is a very important bill, the Defense authorization. I ask if there is an order in effect as to how debate will be handled for the rest of the evening.

The PRESIDING OFFICER. Senator KYL is to be recognized, and following his speech there will be a period of morning business.

Mr. REID. Senator KYL is not here, so I ask unanimous consent to speak on the bill.
Mrs. BOXER. Absolutely. Right now, I am very concerned about a doubledip recession. I am very concerned we may have real problems in this country with unemployment. We see what is happening in the last 17 months since this administration took over, what is happening to the crime rate. It is going up. One of the reasons it is going up, experts say, is that the economy is bad. We know we are not spending money to put cops on the beat. That hurts.

We have a quality-of-life situation and it is spiraling out of control.

I say to my friend, on all fronts, this is a national security issue, whether or not we say we want to have a rail system as does every other great nation in the world. We are playing around with this issue and it has to stop. It is bad management on the part of this administration to be taking us to the 11th hour on this deal. We could have thousands of people unemployed, thousands of people who cannot go to work, shutting down a system that could be a backup to our air system, especially at a time of terrorist threats.

My question to my friend is this: Is it true this Congress voted to give $15 billion to the airlines, $5 billion of that in a direct check, and then loan guarantees for the rest because we believe it is very important to our economy, to our national security, to keep travel going? It is not economic that when the people’s own train system needs $200 million to keep it going, we cannot get a direct answer from this administration, and they are taking it to this 11th hour?

Mr. REID. I respond to the distinguished Senator from California, the neighbor of the State of Nevada, yes, we did give money to the airlines. I am glad we did. We provided money to help them stay in business. We still have a large pot of money to which airlines can apply.

I say to my friend from California, we help airlines every day, airports every day. Highways are Federal construction. Ninety percent of the construction that takes place in Nevada and California is Federal money; 8 million passenger rides in California last year with Amtrak. If the system were better, it would be triple. There could be 24 million passengers in that largest State in the Union.

We have such an antiquated system in most places we cannot run high-speed rail. I do not apologize for my support for Amtrak. Nevada does not get a lot of benefit. I hope we get more in the years to come. If it closes down, we certainly will not.

I have heard people ask: What benefit do I get out of Amtrak? The State of California and the State of Nevada have the Hoover Dam which was built in the 1930s with Federal dollars. Those Federal dollars do not help much of the rest of the country. They help California, Arizona, and Nevada principally. But it is a great program that the taxpayers helped to provide that is good for our country. Amtrak is good for our country.

How can we have a country, which we all love so much, the only superpower left in the world, and not have a passenger rail service that we should be embarrassed about the passenger rail service we have today. It is pretty bad. But we love it. We want to make it better.

I say to the administration, if they are listening: Fine, if you want to bail us out with a few million dollars to keep us going, that is fine, but that will not do the trick. We need a long-term plan for Amtrak, a plan that spends money in improving the tracks. I am in favor of high-speed rail between California and Nevada, between Los Angeles and Las Vegas. It would increase productivity, it would alleviate the burden at our airports and on our highways, and we are competing for economic dollars. This is an efficiency plan.

So whether it is the economy or national security, we do need some bold leadership. I am glad my friend raised this issue. I am glad I have not had to do this. I am glad my friend from Delaware. I am glad he is on the floor tonight. I am going to do everything I can. Our State of California puts a lot of money into our rail system. We step to the plate and match those dollars. We don’t want to see Amtrak go away. It would be a disaster for many areas of my great State.

I thank my friend for yielding.

Mr. REID. Madam President, notwithstanding the order that is now in effect that Senator Kyl would be recognized and we would then go into a period of morning business, I ask unanimous consent the Senator from Delaware be allowed to speak on the Defense bill which is now before us.

The PRESIDING OFFICER. Is there objection?

Mr. THOMAS. I object to that.

The PRESIDING OFFICER. Object is heard.

Mr. REID. Madam President, I ask unanimous consent the Senator from Delaware be recognized to speak as in morning business.
money, so much of their resources into their passenger rail system is not because of nostalgia. They do not pine for the days when people rode the trains from coast to coast. They do it because it is in their naked self-interest to have good passenger rail service.

It is in their naked self-interest to have good passenger rail service as well. As a former Governor, I served on the Amtrak Board appointed by the President, confirmed by the Senate, and have been a member of the board of directors for 4 years. There were a number of times during the time I served on the board—and a number of times since—that Amtrak has run short of cash. They negotiated with a consortium of private lenders and got enough money to carry them through their tough patch and when the next Federal appropriation comes through or the ridership peaks in one of the peak ridership periods for the summer or Thanksgiving or Christmas or the other holidays, they pay off the loans. Amtrak is endeavoring to arrange a bridge loan from a consortium of private banks to carry them through to the end of this fiscal year. Their ability to negotiate that loan fell apart with the advent of the administration's restructuring plan for Amtrak, which is not so much a restructuring plan for Amtrak but it is, frankly, the end, the demise of Amtrak as we know it.

With that having been done and the inability to negotiate with the private lending consortium, I think in large part because of the announcement of the restructuring plan for Amtrak by the administration, the administration has some responsibility to step to the plate and to provide—as they can under law; they have the discretion under the law—a loan guarantee so Amtrak can go ahead with this negotiation with the private bankers. They ought to do that.

When we get past this very difficult time—and I want to tell you if Amtrak does shut down, it is not because everybody rides Amtrak but because Amtrak is very involved in commuter operations. Amtrak runs the entire Northeast corridor. Electricity is sold to the commuter trains. The commuter trains use Penn Station. Amtrak is involved in the Midwest—we have a colleague here from Chicago—in helping run the commuter operations there, and California. It is not just the Northeast corridor. It is throughout the country. A shutdown, especially a hasty shutdown, will create havoc, not necessarily because of the people who run Amtrak trains but all the people who depend on Amtrak and maybe don't know it. They depend on Amtrak to get to work every day and to get home.

Let me close with this thought, if I could. When we get through this difficult time, we need to, and I hope the administration steps up to the plate and says we have some responsibility and acts to discharge those responsibilities—when we get through this, that carries us to the next fiscal year. We need to determine as a country, with a healthy debate with the administration fully engaged, what we are going to do for passenger rail service in America. What will taxpayers support? What will Congress and the administration support? That debate is one in which I look forward to participating.

I think passenger rail going forward will depend, in no small part, on our willingness, and that of the administration, to find a dedicated source of capital funding. Since Amtrak's creation 32 years ago, there has never been adequate capital support for the railroad. There has never been capital support.

We all know that railroading is capital intensive. There needs to be a dedicated source of capital funding. My colleagues will hear me say that more in the months to come. In my judgment, that is the key. If we support passenger rail service, we have to provide the capital to support it.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. KYL. Thank you, Madam President.

If the Senator from New Jersey wishes to speak for any period of time, I will go ahead and take my right. But if he wants only to ask for a unanimous consent, I would be happy to provide that opportunity.

Mr. CORZINE. May I ask the Senator from Arizona how long he intends to speak?

Mr. KYL. I intend to take about 20 or 25 minutes.

Mr. CORZINE. If the Senator from Arizona would consider it, I would talk no more than 5 minutes, and probably a few minutes less.

Mr. KYL. Madam President, in accommodation of my colleague from New Jersey, if he will keep his remarks to 4 minutes, shall we say? I would be happy to provide him the opportunity, and then I will begin after he is finished speaking.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Jersey is recognized for 4 minutes.

Mr. CORZINE. Madam President, my colleague from Arizona is very kind to offer this opportunity.

AMTRAK

Mr. CORZINE. Madam President, I rise to reinforce some of the dialog we have had on the floor with regard to Amtrak. This is a major economic issue for our Nation—not just the Northeast corridor.

We have enormous numbers of interconnected elements of our economy which are dependent on the functioning of intercity rail transportation, and we find and certainly in the corridor of the Northeast where I come from, the most densely populated State in the Nation. There are almost 300,000 commuters a day using Amtrak or Amtrak-related facilities that move in and out of Penn Station and the New York metropolitan region. There are 82,000 daily commuters in New Jersey traffic.

These folks are involved in the financial corridors of this region. We are going to create havoc in operations in our metropolitan regions of New York City if we have a shutdown of this highway transportation. I think it is absolutely essential that we get long-term Amtrak reform.

What I want to speak about tonight is that we need not create a crisis with a short-term shutdown, which is going to impact an enormous number of innocent bystanders, to get to long-term reform. The President, the Transportation Department, and the Congress need to sit down and put together a long-term plan with regard to how we are going to reform Amtrak.

I think it should be done at the expense of a part of our country that is already suffering. It would spread across the country and undermine the confidence of our already shaken economic expansion. We have seen enormous erosion in a number of different levels—the stock market being the most obvious reminder, but at levels that are approaching where we were right after September 11. It strikes me that we don't need to throw another log on the fire and undermine the economic security of our Nation.

That is why I think we need to have a short-term solution with loan guarantees, with the administration and Congress working together to implement a solution to keep this railroad running. We don't need a train ride. What we need to do is make sure we are supportive of our economy.

I am very fearful that if we don't move forward with this short-run solution, we may never get to the long-run reform of Amtrak, which will be deteriorating substantially in the interim while it is shut down.

Let me give you two facts. It costs $200 million to shut this entity down and $200 million to keep it running for the remainder of the year. It would cost almost $1 billion to bring Amtrak back and operating if it were shut down. That is on a nationwide basis.

I think that is too much of an investment to make in a risky proposition of getting to reform without the kind of debate we have had. I hope we can do that on a thoughtful, measured basis in this Congress and the 107th Congress. I don't think it should be formulated on the basis of a crisis brought about by a temporary shutdown.

I want to make sure that I am registered very strongly for the people of New Jersey, for the Northeast corridor, for the New York metropolitan region, and for the Nation in support of our economy by making sure that Amtrak continues to run until we have a thoughtful, long-term solution.

I thank my colleague from Arizona. I appreciate it. I hope I stayed under 4 minutes. I will come back on another day.
The PRESIDING OFFICER. Under the previous order, the Senator from Arizona is recognized.

MISSILE DEFENSE

Mr. KYL. Madam President, by way of introduction, my remarks will primarily be in support of an amendment that will be offered by the distinguished ranking member of the Armed Services Committee. I am sure the Senate of Virginia, tomorrow to restore missile defense funding that was cut in the Armed Services Committee.

I wanted to note that this afternoon the President advised both Senator McCain and I that he would be traveling to our home State of Arizona tomorrow—specifically to the town of Show Low which is under threat of this raging wildfire we have all seen and read about—and he graciously offered to allow us to accompany him on that trip. But, obviously, the importance of this Defense authorization bill—specifically, the votes we will have tomorrow, including an effort to restore funding for the missile defense portion of the bill—requires that we remain.

I am going to speak to the issue that will involve his visit to Arizona tomorrow, why these raging wildfires don’t need to continue to devastate our country, what we can do about it, and what we need to do about it as a country at the conclusion of my remarks on the Defense bill. I will address my comments first to this bill which is before the Senate, and which we will be considering this week.

It seems to me that there is a strange disconnect between recent developments in the world and some of the contents of the bill that we are considering.

For example, in early May, Iran—newly dubbed by the State Department as the No. 1 terrorist nation in the world—conducted a successful test of its 800-plus-mile-range Shahab III missile. There are some reports that Iran is now seeking to establish a capability to develop a domestic production of the Shahab III which will be able to reach Israel, as well as U.S. troops deployed in the Middle East and South Asia.

On May 7, the Associated Press, citing an administration official, reported that Iran is continuing the development of a longer range missile, the Shahab IV, with an estimated range of 1,200 to 1,600 miles. The Shahab IV will be able to reach deep into Europe.

That means that the fanatical mullahs in Tehran will be able to put a multitude of U.S. allies and our troops within striking distance of their missiles and weapons of mass destruction. We witnessed some of the scarcest standoffs in recent decades with India and Pakistan angrily pointing their nuclear-tipped missiles at each other.

These developments represent a dramatic increase in the worldwide missile threat.

You might think that the United States would therefore want to accelerate its effort to build a defense against such weapons. But the bill before us today would seriously hamper our ability to do exactly that. This is not something that the American people will stand for.

This is why I believe that tomorrow it is incumbent upon the Members of this body to listen to their constituents, to listen to the President of the United States, to look at the events around the world, and to reconnect our policy here in the Senate to the realities of the world.

This bill makes very deep and damaging cuts to the President’s proposed budget for missile defense. Unless remedied, those cuts will seriously limit our ability to end our current—and let me say our unacceptable—vulnerabilities to ballistic missile attack.

As I noted, the threat from ballistic missiles continues to grow.

In addition to the two examples I mentioned earlier today, there are nearly three dozen countries that either have or are developing ballistic missiles of increasing range and sophistication. That includes Iran’s fellow “axis of evil” partners—or members, I should say—Israel and North Korea, as well as the terrorist regimes of Syria and Libya.

Let us take a look at some of these developments, which, unless indicated otherwise, are taken straight from the December 2001 National Intelligence Estimate on Foreign Ballistic Missiles. That is the estimate of our intelligence community about this threat.

North Korea, despite the moratorium on flight testing that it is supposedly adhering to, continues its development of long-range missiles. According to press accounts and administration officials, North Korea has recently conducted rocket motor tests of these missiles.

In fact, North Korea’s Taepo Dong 2 missile, which is capable of reaching the United States with a nuclear-weapon-sized payload, may now be ready for flight testing.

As to Iraq, despite U.N. sanctions, Baghdad has been able to maintain the infrastructure and expertise necessary to develop longer range missiles. According to press accounts and administration officials, North Korea has recently conducted rocket motor tests of these missiles.

Its Al-Samoud missile, with a 60 to 90-mile range, probably will be deployed soon.

And Iran retains a covert force of scud-variant missiles, launchers, and conventional, chemical, and biological warheads.

Not to forget about China, the intelligence community assesses that it could begin deploying its 5,000-mile-range DF-31 missile during the first half of this decade. That means essentially any time now. China’s even longer range mobile missile, the DF-41, could be deployed in the latter half of the decade.

China also maintains a robust force of medium-range CSS-5 missiles which can reach our troops in Japan and Korea.

Of course, China continues to add to its arsenal of short-range missiles which already number in the several hundreds and are deployed opposite Taiwan.

According to the intelligence community, China’s leaders calculate that conventionally armed ballistic missiles add a potent new dimension to Chinese military capabilities, and that they are committed to continue fielding them at a rapid pace. Beijing’s growing short-range ballistic missile force provides China with a military capability that avoids the political and practical constraints associated with the deployed missiles. The latest Chinese short-range ballistic missiles provide a survivable and effective conventional strike force and expand conventional ballistic missile coverage.

Even the terrorists are getting into the act. According to a variety of news sources, some of which have quoted U.S. and Israeli officials, Iran and Syria have supplied Lebanon’s Hezbollah terrorist organization with Fajr-5 missiles, which, at 40 to 50 miles, can reach deeper into Israel than any rockets Hezbollah has fired so far. One press account stated further that Hezbollah is assembling chemical warheads for these missiles.

To develop long-range missiles, among others, led to the following conclusions in the December 2001 National Intelligence Estimate:

One, short- and medium-range ballistic missiles, particularly if armed with weapons of mass destruction, already pose a significant threat overseas to U.S. interests, military forces, and allies.

Two, proliferation of ballistic-missile-related technologies, materials, and expertise—especially by Russian, Chinese, and North Korean entities—has enabled emerging missile states to accelerate development timelines for their missile programs.

In other words, this is making the point that instead of having to always independently develop a missile capability, a country can now buy these literally readymade missiles from countries such as China, North Korea, and Russia.

Three, most intelligence community agencies project that, before 2015, the United States most likely will face ICBM threats from North Korea and Iran, and possibly from Iraq, as well as from the existing ICBM forces of China and, of course, Russia.

Four, the probability that a missile with a weapon of mass destruction will be used against U.S. forces or interests is higher today than during most of the cold war, and will continue to grow as the capabilities of potential adversaries are enhanced.

After September 11, we dare not fully remain vulnerable to these threats. But that is essentially the impact of the partisan cuts that were made to this bill when it was before the Armed Services Committee.

Of course, there are those who suggest that the September 11 attacks demonstrated that the major threat to
this country comes from relatively low-tech attacks: suitcase bombs and the like. But what September 11 really demonstrated is that our enemies have the will and the ruthlessness to exploit our weaknesses in any way they can. In other words, if we are weak in a given area, they will exploit that area at our behest. Therefore, if we have no missile defense, is there any question that a potential adversary would see the ability to strike us with ballistic missiles as a potential area for their policy?

The new types of threats we face from terrorists and the rogue regimes that support them cannot be dealt with solely through traditional deterrence. President Bush was right when he recently remarked at West Point:

"Deterrence—the promise of massive retaliation against nations—means nothing against shadowy terrorist networks with no nation or citizens to defend.

In addition, I make this point. I do not think naively that the majority of the Iranian or Iraqi people or Syrian people detest the United States or wish to attack us with nuclear weapons.

If tyrants like Saddam Hussein, who dictatorially rule some of those countries, see the weapon of mass destruction against our ally Israel, or even against U.S. troops abroad, I am not sure the President of the United States, in those circumstances, would want to retaliate with a nuclear weapon on in Baghdad, let’s say, or some other Iraqi city.

Clearly, we would rain massive retaliation upon Saddam Hussein, but we would have to think very carefully about a nuclear deterrent in a situation like that.

So traditional deterrence may or may not be an appropriate response to a terrorist attack. The bottom line is, we are not always dealing with rational actors. To depend on nuclear deterrence—-or a dictator like Saddam Hussein, who, remember, used chemical weapons against his own people, or a terrorist like Osama bin Laden would be to place American lives in the hands of madmen. That, itself, is mad when we have the ability to defend against such an attack.

That alternative, of course, is to develop and deploy missile defenses. They will add to our options in terms of a crisis. Defenses against missiles will help us avoid being frozen into inaction by the threat of a missile attack.

This is the threat of blackmail: A country that acquires a nuclear weapon and the ballistic missile capability to deliver it will be in a much stronger position to dictate what it wants around the world—or to prevent the United States from acting—than one that does not. It reduces our options significantly.

Just imagine the impact on our decision to go to war against Saddam Hussein in 1991 had he been able to threaten the United States or our allies with nuclear missiles. Missile defense would also reduce the incentives for proliferation by devaluing offensive missiles. If a rogue actor views missiles as likely to be effective because of our lack of defenses, they will be developed. If, on the other hand, we have defenses, then they will obviously be less inclined to spend the time and money trying to acquire it.

Finally, and perhaps most important of all, in the worst case scenario, we will save American lives with missile defense.

So we should not be fooled by the fact that the bill still authorizes several billion dollars for something called missile defense. Make no mistake that the cuts in this bill are very carefully designed to gut the administration’s plans to protect the American people from missiles.

If one had wanted to leave intact a program that looked very much like missile defense, but very surgically gutted the key components of it, one could do it in the language and the money that comes out of the Armed Services Committee bill. Allow me to describe some of the features of the President’s new approach. It is quite interesting that just as the President has decided that we need to transform our military. And the President has proposed an aggressive overhaul of not only the missile defense program but other programs from the previous administration.

Let me describe some of the features of this transformational approach: First, a single, integrated architecture to command and control all of the various components of a missile defense system. What this does is to move us from the old concept of several unlinked systems to one overarching system composed of several integrated components or elements, as they are now called. This system removes the complexity of a variety of systems, and, instead, distributes the basic tasks—such as launch detection, tracking, and battle management—across the entire system.

So instead of having three or four specific components that do everything, you have several ways of attacking the problem, all linked together; therefore, they are much more effective in their overall ability to detect, track, and destroy an enemy missile.

Second, defensive capabilities capable of intercepting missiles in all phases of flight, including the boost, midcourse, and terminal phases is an element of the President’s transformation plan. The obvious benefits of this feature is that it will give us several shots if necessary, to knock down a missile after it has been launched.

The point is, we do not have very much time, when a missile has been launched against us, to make a decision to launch a counterattack. By the time we do that, the missile could well be coming down on top of us. We need the ability to have multilayered defenses which can be effective in the boost phase, as the offending missile is going up, which can try to attack it in midcourse, and, as a last resort, as it is barreling down on us at something like 17,000 miles an hour.

But if you only rely on that last system, you are going to get multiple shots. You are going to get a shot, and it may not always do the trick. In that case, you have lost.

Third, the ability to deploy defenses rapidly in the event of an emergency is one of the critical components of the President’s plan. To accommodate these goals and others, the administration reformed the Missile Defense Agency and gave it wide latitude to pursue innovative approaches rather than the former approach which was to have a long-term project of design and research and then development and then deployment.

The problem is that the bill on the floor today takes dead aim at each of these worthy efforts. The system’s technologists and control arms accounts, the brains of the whole system, if you will, are reduced in funding by two-thirds. That is gutting the program. To cut the funding by two-thirds, literally, imagine the human brain, just cut in two. It did after the operation except for one thing: You have taken out the brain. It is not going to work very well. That is the first damage that was done to the President’s program as a result of Armed Services Committee action.

Programs to intercept missiles in the boost phase, particularly those employing new basing modes and technologies, are virtually wiped out. Funding for 10 THAAD test missiles, which would be deployed in an emergency, is eliminated, and the Missile Defense Agency staff is cut by two-thirds. Essentially what the bill leaves us is the old piece-meal approach, with many of the most promising technologies starved of funding. A variety of impediments created to early deployment of the President’s proposed system.

It is quite interesting that just as these cuts were being made, cuts that will wreck the Bush administration’s approach to protecting the American people from missiles, the ABM Treaty lapsed into history on June 13. The bill is an attempt to revive the spirit of that treaty by those who have never accepted President Bush’s decision to opt out of it. If this is the case, they are in dwindling company.

A year ago, the anti-missile defense, pro-ABM Treaty crowd created much hubbub over how any decision to reannounce the ABM Treaty would supposedly alienate our allies, cause a major rift with Russia, and spark an arms race. It was going to be a disaster. Well, as it turns out, none of those dire predictions came true. Let’s have a look.

Have we alienated our allies? As of last count, 12 of our 19 NATO allies have contributed troops to our campaign in Afghanistan, 7 countries have sent their troops into combat alongside...
our own, and dozens of countries are contributing to our war on terrorism.

Did it cause a rift with Russia? No. Russia has just entered into a new partnership with NATO, and President Bush just signed a communique with President Putin of Russia in May, committing both sides to cooperation on a host of issues, including, of all things, missile defense.

How about a new arms race? No. President Bush also signed a treaty with Russia’s under which both sides intend to reduce strategic nuclear warheads to between 1,700 and 2,200. So the doomsayers were wrong. It is true that Russia and many European countries might have preferred that President Bush not renounce the ABM Treaty, that Russia and many European countries were not quite as wedded to this outmoded document as some of its Americans supporters.

The ABM Treaty, as the cold war that gave birth to it, is gone. Russia and the United States, despite a number of disagreements and interests that don’t always intersect, have moved beyond enmity toward a new, more cooperative relationship, and at the same time we have entered into a new area in international relations in which the threats to this Nation are increasingly complex and difficult to predict.

So the President expended a great deal of energy and capital in working with our allies and Russia to terminate the old and document a new one to this effect—we now have opponents in the Senate who would go right back to a missile defense the kind that would be authorized by the ABM Treaty, which is to say virtually none at all. That is wrong, very wrong.

The traditional cold-war-style deterrence is not going to deal with the threats we face today. It is time for ABM Treaty supporters who have stood in the way of missile defense for nearly 30 years to accord this new defense the reality it was brought home with horrible abruptness on September 11. Just imagine if that day were to repeat itself but this time with a ballistic missile armed with a nuclear or chemical or biological warhead. The only responsive concern and documentation in the form of the ABM Treaty, to enter into new agreements with Russia, to demonstrate we are friends, not enemies. In order to be able to pivot and address the new threats that face us, the threats from these Third World rogue powers, he proposes a national missile defense.

Having gone to all of that trouble—and I shouldn’t characterize it as trouble so much as devoting a great deal of American resources to coming up with this solution—to this effort—we now have opponents in the Senate who would go right back to a missile defense of the kind that would be authorized by the ABM Treaty, which is to say virtually none at all. That is wrong, very wrong.

The crisis in the Indian subcontinent is currently engaging the diplomatic activity of all the great powers. Rightly so. The dangers of a nuclear escalation only to the heart of our prior interests. The exceptions

The nuclear deterrent did not prevent all wars. The Cold War conflicts of the 1960s and 1980s show that. But the West’s possession of a credible nuclear deterrent prevented nuclear war. It also prevented conventional war in the Alli Most valuable.

The calculation behind the deterrent was not completely fail-safe. But the rules were clear, the psychology understood and each side’s sticking points known.

So the President has outlined.

I am hopeful that when we vote on the amendment of the Senator from Virginia tomorrow, which restores the funding that was proposed by the President, the Senate will overwhelmingly stand with the President and with the American people, with common sense to be able to defend the American people against ballistic missile attack.

If we support the committee action, while people can claim that they still support this— the reality will be that this program cannot go forward because it has effectively been denuded by the cuts that have been made. We have to support the amendment of the Senator from Virginia.

I wanted to talk about it tonight because I am now that tomorrow I will be able to engage in the debate prior to the vote. As I said, it is a vote which we must be here to cast, notwithstanding a devastating tragedy occurring in my home State.

Since I believe it is the desire of the majority to terminate my remarks on the Defense authorization bill and the Warner amendment so that we can go into morning business for a little bit and I can discuss that subject separately, I ask unanimous consent that a Wall Street Journal editorial of June 17, 2002, be printed in the RECORD on the Defense authorization bill.

There being no objection, the editorial was ordered to be printed in the RECORD.

DON’T GO WOBBLY

(By Margaret Thatcher)

The crisis in the Indian subcontinent is currently engaging the diplomatic activity of all the great powers. Rightly so. The clarity a nuclear exchange could bring is truly dreadful to contemplate. We can expect that this somber fact alone will exercise an effective restraint on both sides. But we cannot assume that the nuclear deterrent effect is the same in the Cold War and post-Cold War worlds. This reflection has implications far beyond the subcontinent. It governs the heart of our priorities since the events of Sept. 11.

UNTOLD DAMAGE

During most of my political lifetime the two superpowers, the U.S. and the Soviet Union, were the two nuclear powers, even a small proportion of which would have inflicted untold damage. But this knowledge imposed discipline on the aggressive expansionism of the Soviets and made for a kind of stability. There were, in fact, well-understood limits on the extent to which either side would directly challenge the other’s interests. The exceptions—like the Cuban Missile Crisis of 1962—only proved the rule.

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(Don’t Go Wobbly)

(From the Wall Street Journal, June 17, 2002)
FOREST FIRES IN ARIZONA

Mr. KYL. Madam President, I rise to speak on the crisis pending before the whole State of Arizona.

Arizona has never had a tragedy like this. Redonda Peak consumed an area 10 times the size of the District of Columbia. It has burned at least 200 homes, probably more. We can’t go back into areas that have been burned because the fire has destroyed a lot more buildings than that, and animals, both domestic and a lot of the animals that populate our beautiful forests.

People who are not familiar with Arizona might not understand how there can be a forest fire in Arizona. But the world’s largest ponderosa pine forest stretches from the Grand Canyon into New Mexico, across a rather wide swath of Arizona at an elevation of about 7,000 feet. It is beautiful country, with pine trees, aspen, fir, spruce, lakes, rivers—not the kind of environment that you would associate with Arizona. It is a place to which many Arizonans repair during the summer when it is very warm “down in the valley,” as we call it. It contains some of the most interesting and unique habitat in the United States—habitat, both flora and fauna, which is not preserved by wildfire but is absolutely and utterly destroyed.

You might be interested to know that the Apache gold mine, far from this—75,000 acres—burned a couple years ago, and it was the largest black bear habitat in the whole United States. When you think of Arizona, think of habitat for an enormous variety of animals, including fish and birds, that has now been destroyed by this fire. We have the Apache golden trout, which, at great pains and at great cost, the Apache Indian tribe and the U.S. Government have tried for years to bring back to the area of the White Mountain Apache Indian Reservation and surrounding areas. It has been dealt a huge setback because the area that has gone through the area which this trout ordinarily populates. The erosion that will come from the devastation caused by this fire will clog the streams, and it is unlikely, I have heard today, that the Apache trout will be able to make a comeback in this area.

I am sure there are many other species of animals—gospans, to mention one—that will be devastated as a result of this fire.

Yet it is interesting that some of the radical environmentalists in our country are the very ones who are responsible for preventing the kind of management of our forests that might have prevented this devastation. Their view is that man should not touch the forest. As one reporter said as saying today: If the price for that is a 500,000-acre fire with an entire town being consumed, then so be it; that is the way it should be. That is not the way we do business in America, in agriculture, and in science.

A century ago, before we overgrazed the area, and before we employed a policy of fighting all of the fires, fire regularly burned through our beautiful ponderosa pine forests. We had, about every 7 years, a small fire that would burn the “fuel” on the ground and a few of the smaller trees, but it could not penetrate the 200 or so feet of thick and heavy ponderosa trees—maybe 50, or 60, or 70, or 80 per acre. Now we have 3,000 trees per acre, or more, because we have suppressed the fires and the grazing has resulted not in more grass growing but all of these trees growing.

If you look at a lot of these forests in Arizona today, instead of the big sequoia trees, which is what the mature ponderosas look like, you see what is called a “dog-haired thicket,” which is a forest so thick with stunted, little—frankly, ugly—trees and brush that they say a dog cannot even run through without losing half of his hair. It is hard to walk through these forests; they are so thick with this “fuel,” as the Forest Service people call it.

What happens when there is a lightning strike in this dog-haired forest? Instead of burning around the ground, licking at the base of these big trees—and they shrug it off—it roars throughout the underbrush and climbs up the ladder of the smaller trees, up through the higher trees, and finally the superheated structure at top of the trees explodes into flame, and the flames swirl, creating air currents, and even affecting the weather. The fire then races across the top of the trees, devastating everything in its path. The heat is so intense, the soil is sterilized and the wages from the needles that ordinarily don’t bother the forest floor melt and literally create a coating on the floor. The rains that may someday come—although we have not had any for a long time—will wash the unprotected soil into the streams, creating huge erosion problems, and it will be a hundred years before the forest once again looks like it did a week ago.

That is just the impact on the forest itself. The other fauna—various varieties of animals, birds, fish, and insects—are destroyed. That is not to mention the human tragedy. The elderly people who moved to these communities, because they are retirement and recreation communities, don’t want to leave their homes. A family I heard about saw the pictures and saw that their outbuildings had been burned, and they had no idea whether their own home was still standing. The town of Show Low, with 30,000-plus people, was evacuated. Every one of the citizens was forced to leave town. The fire is within the town limits, and it has been there for basically a day now, as the firemen from our State and from other places in the country are battling to keep it from totally destroying that town.

Almost as bad immediately to the south of town there is basically a clear path of forest, tinderbox dry, all the way to New Mexico that would literally devastate the entire Apache-
Sitgreaves Forest, which I consider to be some of the most beautiful country in the world. Our own summer cabin is in those mountains. I know the area. I have hiked it. I love it.

It is a tragedy of unspeakable proportion that we have allowed a condition to endure that created this much devastation. To give you an idea of the magnitude, a person not from Arizona was asked to describe it, or try to characterize it, provide an objective description. He thought for a long time and finally said: I have seen one thing worse, Mount St. Helens.

Now, could this have been prevented? The answer is, probably so—at least to the order of magnitude of this devastation. We have known for a long time that it is possible to manage our forests by going into these densely populated forests, mechanically thinning them, removing the little trees I spoke of in the brush, the downed trees, and so on, mechanically moving most of it; and then during October and November, when it is cool and wet, you burn what is left during a prescribed burn, which is very safe, so that the following spring grasses crop up. And what we have found by research done out of the Northern Arizona University—primarily by Wally Covington and his group—is that the number of species of butterflies and birds and animals of all kinds, by orders of magnitude, return to the area and the protein content of the grass is great. The antelope, deer, and elk want to get it. Also, the protein content of the trees is improved so the bark beetles cannot get in and cause the trees to die. It looks so much better. Instead of this tangled mass of little trees and brush, which I talked about before, you have beautiful, big trees that, as I say, look like the sequoias in California, and which are much healthier as a result of the fact that they are not competing with so many little trees for the nutrients in the water and the soil.

It can be done by thinning and taking out that dead brush and then, in appropriate cases, doing a prescribed burn as well. After that, nature can take its course. When you have a lightning strike 5, 6, 7 years later, what happens? It burns along the ground. It will burn the grass and some of the stumps that are left, but it will not crown to the top of these trees, creating the devastation we have seen.

Why haven’t we been able to do that? I am sorry to say it is a combination of a lot of factors, but most of it goes back to one central problem: There are radical environmentalists who don’t agree with this. Many mainstream environmentalists understand that so-called ecological restoration is exactly what our forests need, and they are willing to support it. Yes, there are quibbles about, do you cut 16-inch or 24-inch diameter trees, but the concept is agreed to.

Some of the radicals are so afraid that there will be any commercial timber operation left standing in this country—and there is none in Arizona to speak of anymore—but they are so afraid somebody might make a little bit of money cutting timber commercially that they will do anything to prevent anybody from getting into the forest to try to make a buck; thus our roadless policy, and thus, 5,000 appeals to Forest Service actions seeking to go into our forests and provide this kind of management. Between 40 and 50 percent of the Forest Service budget is devoted to dealing with these legal challenges. Part of the fault is Congress. We have written laws that are so open-ended and unclear that it is very easy for radical environmentalists to find something wrong and challenge one of these proposed management plans.

Bureaucrats make mistakes. It is always easy to stop a project. It is very difficult to move these projects forward, as a result of which a lot of Forest Service people have essentially given up and when you visit a Forest Service office, you will hear them say: Why should we propose any more? We will get stopped, and we don’t have enough personnel to fight this in court or in the administrative process.

There is plenty of blame to go around. It is said we are not given enough support in the Congress, and, frankly, my colleagues have not been all that supportive. We tried to get support from this administration and the past administration. Again, we could have had a whole lot more help than we have received.

To its credit, this administration only had one budget, and I am hopeful that as a result of this—the Secretary of the Interior I know is strongly committed to management, to the Forest Service, as is the head of the Forest Service. I am hopeful that as unfortunate as the Rodeo fire is—and, by the way, the Chediski fire might stimulate both the administration and my colleagues in the Congress to support more meaningful management practices.

I spoke with friends on the other side of the aisle who are anxious to help in this regard because all the Western States have the same environment. The ponderosa forest is a little different than other forests. They may have their own nuances but generally the concept is pretty much the same.

We need to do three things. We need to first, provide whatever supplemental funding is necessary to deal with the crisis that is here today. The Forest Service long ago spent all the money we gave it to fight fires. We are just entering the fire season. We have to replenish those accounts and get more money into the Departments of Agriculture and Interior.

Second, we have to in next year’s budget provide adequate funding for the implementation of a forest plan that provides this management on a large-scale basis. The General Accounting Office said 3 years ago that we have to treat 35 million acres in a 15- to 20-year period or these forests will be lost forever through disease and burning. Now it’s down to 15 million because about 4 million of those have burned. But we still have a job and less time within which to do it. We need to devote the resources that are necessary, and that will mean spending some money. Third, we will have to change some of the laws to provide for more expedited procedures to get these plans approved and to make it more difficult for frivolous objections to prevail or to slow up the process. If these plans are done in accordance with commonly accepted good management practices, then the burden should be on those opposing the sale to prove why the sale should not go forward.

When I use the term “sale,” I want to be very specific. We do not have enough money in this country to treat these forests without commercial enterprise. I have gotten a little bit of money each year to support Northern Arizona University and the research people in Den-ver and AmeriCorps volunteers and grad students at the university to go out during the summer and do some of the work by hand. They can treat a few hundred acres doing that, but they cannot do a large area treatment that is what we are saying we need. We are going to need commercial enterprises to clear the forest of the debris, the fuel about which we are talking.

Somebody might make a little bit of money doing that, but it is not going to be by taking out the big trees that all of us want to preserve. It will be by having enough wood for fiber board, plywood, and a few poles for cabinet construction, for example. There may be a little bit of lumber but not very much.

Those are the actions we are going to have to undertake in the next few days to begin to deal with this situation. The one way we can begin to repair what has occurred and to keep faith with the people who have lost their homes and their livelihood, their live-stock, and, frankly, the people of this great Nation who have now lost a tremendous resource of almost half a million acres in Arizona, one way we can begin to make this right is by providing some money.
Madam President, I join all who have expressed sympathies and best wishes for the people who have suffered as a result of this fire. I appreciate all the comments that have been made to me, expressions of concern and support. I am absolutely delighted that President Bush will be flying to New Mexico tomorrow to this little town of Show Low whose Fourth of July parade I do not think I have missed now in about 15 years. It is a beautiful little town. I know the people of Show Low and of northern Arizona will appreciate the President’s visit, and I know it will be on behalf of all of us that he visits there and expresses our sympathies and concerns and hope for the future as a result of our ability to join together and engage in sound management practice.

I support what he is doing. I regret I cannot join him. I know he would ask us to do the work here in response to this important Defense authorization bill.

I ask unanimous consent to print in the RECORD a Wall Street Journal editorial of Friday, June 21. There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From The Wall Street Journal, June 21, 2002]

REVIEW AND OUTLOOK
THE FIRE THIS TIME

In December 1995, a storm hit the Six Rivers National Forest in northern California, tossing dead trees across 5,000 acres and creating dangerous fire conditions. For three years local U.S. Forest Service officials labored to clean it up, but they were blocked by environmental groups and federal policy. In 1999 the fire bomb blew: A fire roared over the untreated land and 90,000 more acres.

Bear this anecdote in mind as you watch the 135,000-acre Hayman fire now roasting close to Denver. And bear it in mind the rest of this summer as if it could be the biggest marshmallow-toasting season in half a century. Because despite the Sierra Club spin, catastrophic fires like the Hayman are not inevitable, they stem from forest management—which found a happy home in the Clinton Administration.

In a briefing to Congress last week, U.S. Forest chief Dale Bosworth finally sorted the forest from the tree-huggers. He said that if proper forest-management had been implemented 10 years ago, and if the agency weren’t in the grip of “analysis paralysis” from environmental regulation and lawsuits, the Hayman fire wouldn’t be raging like an inferno.

Mr. Bosworth also presented Congress with a sobering report on our national forests. Of the 192 million acres the Forest Service administers, 73 million are at risk from severe fire. Tens of millions of acres are dying from insects and diseases. Thousands of miles of roads, critical to fighting fires, are unusable. Poisons facts back up a General Accounting Office report, which estimates that one in three forest acres is dead or dying. So much for the green mantra of “healthy ecosystems.”

How did one of America’s great resources come to such a pass? Look no further than the greens who trampled into power with the last President. Critics say the Forest Service is in an untested philosophy known as “ecosystem management,” a bourgeois bohemian plan to return forests to their “natural” state. The Clintonites cut back timber harvesting by 80% and used laws and lawsuits to pull swaths of land off-limits to commercial use.

We now see the results. Millions of acres are choked with dead wood, infected trees and underbrush. Many areas have more than 400 tons of dead wood an acre making it an unmanageable level. This is tinder that turns small fires into infernos, outrunning fire control and killing every fuzzy endangered animal in sight. In 2000 alone fires destroyed 8.4 million acres, the worst fire year since the 1950s. Some 800 structures were destroyed—many as a fire swept across Los Alamos, New Mexico—and costs reached $1.9 billion. The Forest Service’s entire budget is $4.9 billion.

That number, too, is important. Before the Clinton Administration limited timber sales, U.S. forests helped pay for their own upkeep. Selective logging cleaned up grounds and paid for staff, forestry stations, cleanup and roads. Today, with green groups blocking timber sales at every turn, the GAO says taxpayers will have to spend $12 billion to cart off dead wood.

It’s no accident that two of the main Clinton culprits—former director of Fish & Wildlife Jamie Rappaport Clark and former Forest Service boss Michael Dombrowske—have both landed at the local Wildlife Federation, which broadcasts across its Internet homepage, “Fires Are Good.”

Fixing all of this won’t be easy. After 30 years of environmental regulation, the Forest Service now spends 40% of its time in “planning and assessment.” Even the smallest project takes years. Mr. Bosworth has identified the problem, but fixing them will require White House leadership and Congressional cooperation.

One solution would be to follow the lead of private timber companies, whose forests don’t tend to suffer such catastrophic fires. Their trees are an investment; they can’t afford to let them burn. Americans should feel the same way about theirs.

MANAGEMENT OF OUR FORESTS

Mr. DOMENICI. Madam President, I know a lot of the people who are in the Chamber who could probably speak to this subject better than I. Certainly the Senator from Wyoming and the Senator from Colorado know plenty about the subject matter. But I thought I might give my own assessment, very cursory in nature but, nonetheless, somewhat relevant.

We here in Washington, DC, are only getting to view the State of Arizona, as it burns, on our television sets. We have seen, in the last few days, large forests in Colorado burn. They are not under control yet. We can only imagine the additional fires that are likely to come in the State of New Mexico. New Mexico already had a number this year. We also had a series last year and the year before, too.

Senators remember when we came to the floor about Los Alamos NM. There, the forest burned right around the city of Los Alamos. We lost almost 400 houses. We have not lost that many this year, but the way the fire season looks, there can be an outcome.

I just want to say to the Senate and to those listening, it is this Senator’s opinion that we have not made an American decision about the maintenance of our forests.

I believe we have made decisions in a haphazard way because of litigation and certain people in our country who think they know best about forest management. There are people now in the courts over our professional managers. It leaves us wondering tonight how many more hundreds of thousands of acres will burn? And we don’t know. But what many of us believe is that the forests are not being managed and maintained. They do not have the maximum opportunity to stand, but rather are likely to burn down.

Our forests are so clogged with underbrush that you cannot even walk in some of them—but they sure will burn. I submit that we have taken for granted too long that forest management is going all right. Now, the courts are determining lawsuits, which, in turn, determine forest management policies. It seems to this Senator that it is all finally catching up.

When drought and heat are combined with forests clogged with fuel, the incendiary nature is so severe. We sit here every year wondering what we can or cannot do. Due to the call the land managers and they tell us they are making headway. It is hard to see sometimes, but pretty soon we must get this done.

I believe that year—even though we cannot finish it—we ought to start with the appropriate committee and get prepared to undertake a major senatorial investigation of the forests of the United States, including those that are part of the Agriculture Department and those that are BLM. We should make some determinations sooner rather than later, as to whether we have been maintaining the forests in a manner that is most apt to cause them to be burned down, and that either is or is not good for our country.

Some think what I just described is good. I don’t think it is. But I think we owe it to our people to get the experts of our country and make a big, major American decision: Are we to maintain our forests so they are filled with underbrush that will burn down, or are we to maintain it another way? Which way are we maintaining it? Is it in an orderly manner, or is it being determined by court cases pushed and pursued by endangered species laws and others that have caused our forests to be so mismanaged that they are just ready to burn and burn? This isn’t the last one today. We are not even in the middle of the summer. Imagine. We see forests out there loaded with underbrush, with the hot, boiling sun, no rain or clouds in the sky, but no trees on the ground either.

Just in passing, it is amazing because, even when the trees are all burned, it cannot burn the sky down. We have to leave them there to rot because there are some who win in the courts of law and say that is a better way to manage. So there they stand as relics...
to a management plan that, to this Senator, seems to say that our forests are not managed, but mismanaged. I yield the floor. 

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3954 TO S. 2514

Mr. ALLARD. Madam President, on Friday, amendment No. 3954 to S. 2514 was approved by the Senate and I would like to make a few remarks regarding this important provision.

I am proud to have sponsored this amendment with my good friend from Florida, Senator NELSON. We both have a strong interest in space, for personal and constituent reasons, and believe this amendment, while only a Sense of the Senate, is important to show that the Senate stands by the funding and support for assured access to space.

United States national security and economic vitality depend on our ability to launch a variety of satellites into earth orbit. Access to and utilization of space enables our commercial, economic, and national security interests to be fostered. The Evolved Expendable Launch Vehicle, EELV, program is the Air Force to submit a report to Congress at the earliest possible time.

The amendment calls on the Air Force to evaluate all the options for sustaining the space launch industry base, develop an integrated, long-range, and adequately funded plan for assuring U.S. access to space, and for the Air Force to submit a report to Congress at the earliest possible time.

Again, I want to thank Senator NELSON for working with me on this simple but important sense of the Senate. I look forward to working with you on this and other space issues in the future.

MILITARY CHIEF NURSES

Mr. INOUYE. Madam President, today I wish to address a timely and important amendment to increase the grade for the Chief Nurses of the Army, the Navy, and the Air Force to that of two stars. The existing law limits the position of Chief Nurse of the three branches of the military to that of Brigadier General in the Army and Air Force, and Rear Admiral, lower half, in the Navy.

Chief Nurses have a tremendous responsibility; their scope of duties include peacetime and wartime health care delivery, plus establishing standards and policy for all nursing personnel within their respective branches. They are responsible for thousands of Army, Navy, and Air Force officer and enlisted nursing personnel in the active, reserve, and guard components of the military. The military medical mission could not be carried out without nursing personnel. They are crucial to the mission in war and peace time, at home and abroad.

Organizations are best served when the leadership is composed of a mix of specialties, of equal rank, who bring their unique perspectives to the table when policies are established and decisions are made. This increased rank would guarantee that the nursing perspective is represented on critical issues that affect the military medical mission, patient care, and nursing practice. I look forward to ensuring that the military health care system fully recognize and utilize the leadership ability of these outstanding patient care professionals.

E-MAIL SECURITY

Mr. HATCH. Madam President, I rise today to address the increasingly important topic: the security of the Internet, and specifically, the security of the e-mail we send across the Internet.

During my service on the Judiciary Committee I have held and attended a number of hearings on Internet oversight, and on the development of related legislation. Despite a thinning in the ranks of Internet focused companies, the Internet of course continues to become a more and more important part of our economic and personal lives.

In the wake of the September 11th and anthrax attacks, much of our attention has been focused on national security issues. The interruptions in traditional communications systems like the phone and traditional mail systems underscore the wisdom of the founders of the Internet, which began as a Defense Department project to develop a communications system that would be flexible and decentralized to withstand attacks that might cripple other systems. Internet technology is continually changing, and we need to be aware of its capabilities as well as any signs of vulnerability that can be exploited by those bent on using Internet access to attack the integrity of communications or vital data. In particular, since the anthrax attacks the nation has come to rely even more heavily on e-mail.

There is no doubt that trust and confidence in e-mail, especially between businesses and consumers, is critical to the vital role such mail has played during recent months in keeping the channels of commerce and communication open despite blows to telephone service and traditional mail.

The Internet is vulnerable in its own ways. The Internet itself can be used by terrorists as well as by those of good intentions. While e-mail cannot be used by criminals and terrorists to spread harmful biological or chemical agents, there are risks in the way most e-mail is generated and transmitted. We have all been familiar with the various viruses that have been sent via e-mail and affected many computer systems. Among some of the risks are loss of privacy through unauthorized access to messages and invasion of e-mail host databases. Another technique is ‘spoofing’ in which messages are sent purporting to be from a trusted sender in order to deceive the recipient, especially individual consumers and other citizens. We are increasingly threatened by viruses and other malicious code that can be carried on e-mails and unwittingly activated by the recipient.

We need to review industry’s ongoing efforts to answer these challenges, and also look to what individual and policy makers can do. Some of these threats are familiar, others are just emerging. For example, by sending
messages with spoofed false send identities and misleading subject identifiers, hackers and unethical marketers can overcome the reluctance of even experienced e-mail recipients to open mail from unknown sources. As users are hurt or inconvenienced by falsified messages, their trust in the medium is damaged, and the usefulness of e-mail for all legitimate senders declines. We addressed some of these concerns in the PATRIOT Act last year, as we included a number of reforms to address computer fraud and abuse laws. It will be easier to investigate and prosecute unauthorized access to computer systems and to prevent cyberattack with these changes.

America has deep strategic interests in advancing the Internet, and especially its most frequently used service: e-mail. I am hopeful that, and have read about, new technologies and practices that can help improve sender accountability for e-mail, empower recipients to screen e-mail by assuring them of its real sender, and deliver on the promise of greater privacy for personally identifiable data.

It is important that we continue our efforts to keep our laws updated with new threats and the threats that could be posed using such new technologies. We should also take actions to motivate industry and the public where more needs to be done. Over the years, the public has come to value e-mail’s convenience and speed, and to trust it as an alternative to the traditional postal envelope.

PRIMING FOREIGN LANGUAGE PROFICIENCY IN THE FEDERAL WORKFORCE

Mr. AKAKA. Madam President, I rise today to urge the passage of two bills vital to our Nation’s ability to combat terrorism, S. 1799, the Homeland Security Act of 2002, and S. 1800, the Homeland Security Federal Workforce Act. These bills are designed to assist our nation’s national security agencies in recruiting individuals fluent in crucial foreign languages and skilled in other areas of critical concern. I fear that the lack of foreign language-speaking employees has contributed to one of the worst security lapses in the history of our great Nation.

The information that has surfaced in recent months about our intelligence agencies’ inability to articulate a complete intelligence picture in the weeks and months preceding September 11 underscores the need for language-proficient professionals throughout Federal agencies to decipher and interpret information from foreign sources, as well as interact with foreign nationals.

In the article by Katherine McIntire Peters from the May 1, 2002, Government Executive Magazine, entitled “Lost in Translation,” she demonstrates explicitly how a critical shortage of Federal employees with foreign language skills is hurting national security. According to the article, the Army has a 44-percent shortfall in translators and interpreters in five critical languages, including Arabic, Korean, Persian-Farsi, Mandarin-Chinese, and Russian; the Department of State lacks 26 percent of its calculated need in authorized translator and interpreter positions, and the FBI has a 13-percent deficiency in the staffing of similar positions.

With such a startling lack of workers proficient in foreign languages throughout the Federal Government, the lack of personnel trained in interpreters is essential for our national security. The 107th Congress must act now to alleviate these grave deficiencies to recruit personnel possessing vital skills. To do this, we must promote the pursuit of language skills at all levels of education.

S. 1799 strengthens national security by assisting in the expansion and the improvement of primary through graduate-level foreign language programs. This bill gives a boost to the foreign language programs taught in our Nation’s schools, concentrating and effective language study and by providing intensive professional development for teachers. Language study from a very early age will open students’ minds to the opportunities and benefits of learning foreign languages. These benefits, combined with an across-the-board strengthening in science and engineering programs, will ensure an educated and competent citizenry while providing a qualified applicant pool for national security positions.

S. 1800 provides incentives for accomplished university students to enter governmental service. The bill provides an enhanced loan repayment program for students with degrees in areas of critical concern. It makes it possible to provide fellowships to graduate students with expertise in similarly sensitive areas. These incentives will result in the recruitment of the highly-trained, dynamic young individuals our Nation needs to assist in the war against terrorism.

Our security organizations will benefit tremendously from an influx of proficient foreign language speakers. In addition to increasing the number of security personnel entering the Federal service with language proficiency, the legislation encourages current employees to improve their language ability and to hone other skills. We must provide training to improve foreign language skills of our present Federal workers and invest in the next generation of employees to ensure a dedicated and capable workforce that will contribute to our national security. The legislation I and the other sponsors have proposed would accomplish this.

I urge my colleagues to support S. 1799 and S. 1800.

I ask unanimous consent that the Government Executive Magazine article to which I referred be printed in the RECORD.

There being no objection, the article was printed in the RECORD.

[From the Government Executive Magazine, May 1, 2002]

LOST IN TRANSLATION

(By Katherine McIntire Peters)

When then-CIA field agent Robert Baer served in Tajikistan from 1992 to 1995, he saw a golden opportunity to collect information that might prove vital to U.S. interests. Thousands of refugees were pouring into Tajikistan from Afghanistan, where the civil war was raging. The refugees represented a gold mine of intelligence from a nation at the crossroads of American interests in the region. But Baer, who didn’t speak Russian, didn’t speak Dari or Pashto, the language predominant among the refugees. So he contacted CIA headquarters and asked the agency to send Dari and Pashto speakers to debrief the refugees. The CIA couldn’t—there weren’t any, according to Baer. The refugees continued to come, and the United States missed an opportunity to get a life-saving glimpse into the brewing threat of radical Islam in Afghanistan.

Baer related his experiences in See No Evil (Crown Publishers, 2002), his memoir of a 21-year career in the CIA. During his two decades of service, the agency grew increasingly reliant on satellite technology and electronic intelligence-gathering and spent far too much of its real efforts on maintaining the language skills and regional expertise of its field officers. When Baer was transferred out of Tajikistan in 1995, his replacement spoke neither Tajik nor Russian, essentially crippling the agency’s human intelligence-gathering efforts there, an assessment confirmed by another U.S. government official who served in Tajikistan at the time.

Baer’s experience is hardly unique. Across government, countless opportunities are squandered every day for want of personnel who speak and understand foreign languages. While Baer was lambasting the CIA’s lack of people with language skills in Central Asia, the FBI was sitting on its own gold mine of information back in New York—if only the agency had had the eyes and ears to recognize it. Only after it rediscovered the World Trade Center in February 1993 did agents go back and translate previously taped phone conversations and confiscated documents. By then, it might have been useful in preventing an attack, instead of understanding the attack after the fact.

More than 70 federal agencies require employees with foreign language skills, which are vital to national defense, law enforcement and economic security. In March, Susan Westin, managing director of international affairs and trade issues for the General Accounting Office, told the Senate Governmental Affairs Subcommittee on International Security, Proliferation and Federal Services that shortages in low-skill, high-quality personnel have hindered operations in a range of areas:

The Army doesn’t have enough linguists to support its current mandates for intelligence-gathering requirements. Intelligence agencies lack the staff to translate and interpret thousands of technical papers that detail the progress and development in scientific and technical areas.

Without more timely translation of Spanish, Persian, Russian, and other languages, the agency’s U.S. attorney in Miami in charge of health care fraud investigations soon will have to turn away.
cases. The implications are significant: Medicare and Medicaid losses in the region top $3 billion.

The FBI holds thousands of hours of audio-tapes and written notes of written conversations that have never been reviewed or translated because the agency lacks qualified linguists. FBI officials told GAO the situation has hindered its assessment and its ability to arrest and convict violent gang members.

Lack of proficiency in foreign languages among FBI personnel presents a specific threat to the agency’s ability to arrest and convict violent gang members.

Of the problem who meet language requirements, but it

Russian, Spanish, Korean and Mandarin Chinese.

human intelligence collectors in Arabic, cryptologic linguists in Korean and Mandarin Chinese.

in authorized translator and interpreter positions, and the FBI had a 15 percent shortfall.

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is impossible to know the full extent to which a lack of language expertise hurts American interests. The Office of Personnel Management doesn’t maintain comprehensive records of the number of federal employees with foreign language skills, or the number of positions that require such skills. OPM’s records indicate that the government employs fewer than 1,000 translators and interpreters—a specialty designated job series in the service. But tens of thousands of additional positions across government require language skills.

In January, GAO reported in “Foreign Languages: Personnel Shortages Exist” that the lack of competence in foreign languages has hindered U.S. commercial interests, military operations, diplomacy, law enforcement, intelligence operations and counter-terrorism efforts (GAO-02-375). To assess the situation broadly, GAO auditors reviewed data from four agencies that need language skills critical: the State Department, the FBI, the Army, and the Foreign Commercial Service, which is part of the Commerce Department.

The Army, State Department and FBI all reported significant shortages in translators and interpreters, positions that tend to require the highest levels of skills. The Army reported, on average, a 44 percent shortfall in translators and interpreters in five critical languages—Arabic, Korean, Mandarin Chinese, Persian-Farsi and Russian. The State Department had a 26 percent shortfall in authorized translator and interpreter positions, and the FBI had a 15 percent shortfall. The Foreign Commercial Service had a 10 percent shortfall. Agencies that specified language areas as positions, but not designated translator and interpreter positions, but hires locally for those jobs.)

All four agencies reported shortages in other positions requiring language skills:

The Army has about 15,000 positions requiring proficiency in 62 languages. Last year the service had 142 unfilled positions for cryptologic linguists in Korean and Mandarin Chinese, and 108 unfilled positions for human intelligence collectors in Arabic, Russian, Spanish, Korean and Mandarin Chinese.

The State Department has 2,581 positions requiring proficiency in about 30 languages, none of which are taught in the United States in the field of teaching English as a second language, but the institute can’t find instructors for some of the more obscure languages for which the school is now recruiting. Granoien recently found four Turkmen instructors through a friend who was traveling in Turkmenistan. The DLI now oversees a special task force to provide support to Operation Enduring Freedom in Afghanistan. The DLI recently has added language courses for Pashto, Uyghur, Uzbek, and plans to add courses in Basic Indonesian, Urdu and Turkic languages.

There are considerable challenges in creating language courses for a very long list of more obscure languages now needed, says Granoien. In many cases, instructors must first develop grammar where none exists. “People have been writing Spanish grammar for a couple hundred years, French even longer. If you take a language like Uzbek, there’s much work to be done, or [Pashto], for instance, how do you put someone in two years of Arabic? We don’t have a class list and then we’re rushed to post. In a lot of cases language training had to be shortened or not provided at all. That’s because of the lack of the hiring in the 1990s.”

One of the first things Powell did was request an increase in resources, in both staffing and operating funds, to fill the personnel deficit and hire enough Foreign Service officers over the next three years to maintain a “training float”—a reserve of employees assumed to be training at any given time. If Congress continues to fund the plan, “We’ll be able to put someone in two years of Arabic training, and there won’t be a vacancy in Cairo or Beijing while they’re in training.”

Naland says. But even if State and other agencies were fully staffed, they might not have enough people with the right skills to meet their language requirements. Advances in technology and wider access to foreign language publications have tremendously increased the need for employees who can read and understand non-English materials.

of the four agencies that GAO focused on, once faculty are recruited and trained, as well as native speakers able to function linguistically at a professional level. Typically, the Defense Language Institute recruits foreign students doing graduate work in the United States in the field of teaching English as a second language, but the institute can’t find instructors for some of the more obscure languages for which the school is now recruiting. Granoien recently found four Turkmen instructors through a friend who was traveling in Turkmenistan. The DLI now oversees a special task force to provide support to Operation Enduring Freedom in Afghanistan. The DLI recently has added language courses for Pashto, Uyghur, Uzbek, and plans to add courses in Basic Indonesian, Urdu and Turkic languages.

Once faculty are recruited and trained—the DLI has a one-month intensive training program for undergraduate students, and a 12-month teaching experience—building a curriculum and developing testing programs is another challenge. The language programs are based on real-world instruction, making it difficult to teach languages that are rarely published in newspapers, magazines and the like.

The DLI is accredited, so completing the intensive basic program in any language receive 45 semester hours of college credit. To successfully complete the program must pass a number of tests that measure their proficiency in speaking, reading and listening. Proficiency levels range from Level 1 (elementary), in which an individual can speak well enough to get his or her basic needs met and demonstrate common courtesy, to Level 5 (functionally native), in which an individual has the proficiency of an articulate, well-educated native speaker.

The institute’s basic training program is designed to get students to Level 2 (limited proficiency, able to handle routine social demands and deal with concrete topics in the past, present and future tenses. “It doesn’t enable them to go on to more advanced courses out of place between the lines,” Granoien says. To achieve proficiency at Levels 3 and 4, the general and
advanced professional levels, students generally need practical experience, he says. The school also maintains an extensive program to develop foreign language instruction. By the late 1950s, however, concern about being outpaced by the Soviet Union led to the establishment of the National Security Language Act, which, among other things, was designed to produce more foreign language teachers and programs. But enthusiasm was short-lived. The 1979 Presidential Commission on Foreign Language and International Studies found that "Americans' incompetence involves nothing short of scandalous, and it is becoming worse."

In many ways, the problems of federal agencies with recruiting and training language-competent employees reflect the failure of our public education system. According to a 1988 survey data compiled by the Center for Applied Linguistics, the vast majority of elementary schools don't teach foreign languages, and while 86 percent of high schools offer foreign language courses, high schools offer instruction in languages beyond Spanish or French. According to 1998 survey data from the National Foreign Language Center and the National Security Education Program.

As most other nations of the world already know, the process in the elementary schools and continue it the whole way through graduate school if we are to do it well," Edwards said. "We cannot address the government's language needs without addressing the nation's language needs." Edwards added.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Madam President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of last year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society. I would like to describe a terrible crime that occurred June 11, 2000 in New York, NY. Four Hispanic Jewish men were stabbed on the Coney Island boardwalk after a confrontation with a group of Latino men. Police said that anti-Semitic slurs were used during the attack, and were investigating the incident as a hate crime. I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well. ADDITIONAL STATEMENTS IN RECOGNITION OF THE ACHIEVEMENTS OF UNL BASEBALL

• Mr. NELSON of Nebraska. Madam President, Nebraska State that has long been known for its great college football teams. However, with a second consecutive trip to the College World Series, the Nebraska Cornhuskers baseball team is on its way to establishing a tradition of excellence just as strong as their counterparts on the gridiron.

While I am certain that my disappointment at the Huskers early exit from the tournament this year is shared by many of my fellow Nebraskans, we should remember that this team has given us many things of which to be proud.

First, it seems as though the Huskers have set a record for record setting this year. Second baseman Will Bolt set or tied 7 career school records. Outfielder Daniel Bruce set a dubious record by being hit by a pitch 26 times this season, and the team set records with 95 Husker plunked this season. Catcher Jed Morris set or tied 3 school records and became only the second Husker to be named the Big 12 Player of the Year.

Seven players also received recognition for their academic accomplishments, applying the dedication they learned on the field to the classroom.

The accomplishments give us reason to be proud of our Huskers. And while the College World Series may not have turned out how we had wished, we can all look forward to next year and hope the Husker baseball team continues its winning ways.

35TH ANNIVERSARY OF THE METROPOLITAN CHORUS

• Mr. ALLEN, Madam President, I want to recognize the Metropolitan Chorus of Arlington County, VA. To name it the Metropolitan Chorus will complete its 35th anniversary season June 21. The first performance of the season was held at the Lincoln Center Amphitheater in Arlington, VA.

The 90-voice chorus offers residents the opportunity to perform and hear the great choral works. Concerts feature music of great variety and scope that spans the period from the Renaissance to the 21st century with a strong emphasis on American composers.

The chorus has performed throughout the Washington, DC, metropolitan area, including the National Center, Constitution Hall, The National Building Museum, the Smithsonian Institution, and the Rachel M. Schlesinger Concert Hall. In addition to the formal concert season, the chorus presents annual free concerts each season as a special service to the community. The chorus has also performed internationally, traveling to Italy; Sydney, Australia; New Zealand; Australia; New Zealand; Russia and Brazil to compete.

I congratulate the Metropolitan Chorus on its 35th anniversary and wish
them continued success for many more years.

IN MEMORY OF MASTER SGT. PETER TYCZ

Mrs. CLINTON. Madam President, it is with deep sadness that I stand before you today to honor the life and service of Master Sgt. Peter Tycz, who made the ultimate sacrifice for his country. I want to express my deepest sympathies to his wife and their five children for their heart-wrenching loss. Master Sgt. Tycz was killed June 12 when his plane caught fire and crashed after taking off from an airbase in Afghanistan. Our entire nation is saddened by this immeasurable loss and I rise in recognition of his profound contribution to America.

A native of Tonawanda, New York, Master Sgt. Tycz was a Green Beret and the father of five girls, ages 1 to 9: Elizabeth, Samantha, Faith, Tiffany and Felicia. He joined the Army out of high school and was committed to the fight for freedom wherever it took him. He welcomed the opportunity to defend America in Afghanistan. Master Sgt. Tycz wrote in an email to his mother, Terry Harned, this past fall, which read: "[I] will have to make great sacrifices to make sure our lifestyle is not threatened and I'm prepared to do that." His daughters will grow up knowing that their father was a true American hero who represents the very best of our great Nation.

We are grateful to Master Sgt. Tycz and his American service men and women like him who are determined to defend and protect our great country. In that same email to his mother, Master Sgt. Tycz wrote, "Do not ever be sad for me because you will defend and protect this country for being." I believe that we will always remember his words and that they will bring us all, most especially his family, comfort and strength.

PASSING OF JUSTIN DART, JR.

Mr. MCCAIN. Madam President, our Nation lost a true champion on June 22 when Justin Dart, Jr. passed away in his sleep at the age of 71. Afflicted with polio at a young age, Justin Dart didn’t let his wheelchair get in the way of fighting for the rights of the disabled for more than five decades. Today, Americans with Disabilities have more opportunities and better access to public facilities because of the tireless work and dedication of Justin Dart.

From 1988 to 1990, he served as Chairman of the Congressional Task Force on the Rights and Empowerment of Americans with Disabilities and was instrumental in getting the Americans with Disabilities Act signed into law in 1990. To ensure its passage, Justin literally visited all fifty states to educate Americans about the barriers people with disabilities face every day in their lives, and he personally lobbied on Capitol Hill to make the ADA a reality.

In 1998, to honor his lifelong public service, President Clinton awarded Justin himself America’s highest civilian honor, the Medal of Freedom, and told those who gathered to honor him that Justin had "literally opened the doors of opportunities to millions of our citizens by securing one of the Nation’s landmark civil rights" and his "magnificent desire to help secure the rights of others defined the life of Justin Dart. America is a better place because of his great work."

I know that I speak for all Americans when I say that we will miss you, Justin, but a day will never go by without us seeing the doors you opened for so many with disabilities.

LARRY FELDMAN, JR.

Ms. LANDRIEU. Madam President, today I rise to honor and congratulate Mr. Larry Feldman, Jr., who will be sworn in as President of the Louisiana State Bar Association on June 28, 2002. His assumption of the role of President of the Bar Association is the culmination of a lifelong commitment to service in the Bar Association. Larry received his J.D. degree in 1974 from the LSU Paul M. Hebert Law Center and was admitted that year to practice in the State of Louisiana. Since this time he has been actively involved in the Bar Association. Larry has also demonstrated a commitment to excellence in programming on the Continuing Legal Education Program Committee and served as Chairman of the Committee from 1996-1997. He was one of the pioneers of the Sandestin Summer School for Lawyers. He served on the Board of Governors from 1994-1997. He was Secretary of the Association from 1991-1992, a position in which he served as Editor of the Louisiana State Bar Journal. In 1996, he received the LSBA’s President’s Award, which is the highest award given by the Louisiana State Bar Association to a member for their service to the organization. Through all of his efforts, Larry Feldman has clearly demonstrated his dedication to the Association. However, Larry has not only been dedicated to the Association, but also to his family. As the father of three daughters, he has shown that giving children a strong sense of self and independence is a great gift. As a devoted son, he has displayed that love, warmth, and support are excellent gifts a parents can give them. And as a husband, he has proven that love is best when it is between equals. Larry is known for his cooking, his quick wit, and his love of a good time. He is much sought after as a family friend. I congratulate Larry for all he has done, both in and out of the courtroom, and wish him the best of luck as he begins his service as President of the Louisiana State Bar Association.

HONORING CARL WICKLUND

Mr. BUNNING. Madam President, I stand among my colleagues today to honor and congratulate Carl Wicklund or Kenton County, KY on being named the 2002 recipient of the Warren H. Proudfoot Award for Outstanding School Board Member.

The Proudfoot Award is named after the late Dr. Warren H. Proudfoot, a longtime member of the Rowan County Board of Education and past president of the Kentucky School Board Association. Created in 1992, the award recognizes a past or present member of a school board for distinguished leadership and community service.

Mr. Wicklund received this year’s award primarily to his work in establishing a special class in conjunction with the Northern Kentucky Chamber of Commerce to allow students considering a career in manufacturing a first-hand look at the industry by touring area businesses and observing their day-to-day operational procedures. Mr. Wicklund’s hard work and selfless acts deserve our recognition.

In order for Kentucky to improve upon itself socially, economically and technologically, education must be a top priority for kids, parents and board members. Only when all three of these groups are working together can we ensure that our youth are receiving the proper educational opportunities. Carl Wicklund has personally gone above and beyond the call of duty to create more and better opportunities for Kentucky’s youth. I applaud him for his hard work and dedication and congratulate him on receiving this prestigious award.

IN MEMORY OF GUNNERY SERGEANT JOHN BASILONE

Mr. SANTORUM. Madam President, today I stand before you to recognize the outstanding service exemplified by United States Marine Sergeant John Basilone. Sergeant Basilone was killed in action fighting at Iwo Jima on February 19, 1942. He remains distinguished as the only enlisted Marine to receive three of the military’s highest honors: The Medal of Honor, the Purple Heart, and the Navy Cross.

Sergeant Basilone enlisted in the Army at eighteen years of age and became known as “Manila John” during his service in the Philippine Islands. After receiving an honorable discharge from the Army, you will remember he returned home. It was not long, however, before the soldier rejoined the armed services as a Marine in time for the Second World War. He was a member of the First Battalion under the First Marine Division during the Solomon Island campaign. After a courageous victory there, he was awarded the Congressional Medal of Honor. He humbly
IN HONOR OF THE 75TH BIRTHDAY OF KOOL-AID

Mr. NELSON of Nebraska. Madam President, I arise today to pay tribute to Mr. George Crombie, Public Works Director for the City of Nashua. Named one of the Top Ten Public Works Leaders of the Year by the American Public Works Association, George has played a prominent role in the betterment of his community.

As Director of Public Works for the City of Nashua, George manages a full-service public works division including engineering, traffic and parking, streets, water, sewer, solid waste, parks and recreation. His primary focus has been on instituting comprehensive public works management systems including the development of a senior management team, finance and budgeting principles, employee education and safety, time line management and capital development.

Many of George’s projects have focused on the environment. He recently led the City through the Multi-Site Landfill Closure and Park Renovation Project which provides state-of-the-art closure and post-closure refuse to five former City landfills, as well as construction of one of New Hampshire’s few publicly owned and operated lined landfills. George is also credited with contributing to the APWA Reporter by writing an article commending the New York City Sanitation Department’s cleanup of the World Trade Center.

I applaud the dedicated efforts in public service that George Crombie has demonstrated throughout his distinguished career. George is a positive example in leadership for all to follow. The City of Nashua is privileged to have such a dedicated public servant working for the community. I wish him continued success in the coming years, and thank him for his contributions to New Hampshire. It is an honor to represent you in the U.S. Senate.

HONORING REBECCA COLTEY

Mr. SMITH of New Hampshire, Madam President, I rise today to pay tribute to the “New Hampshire Star of Life.” Rebecca Coltey has been chosen by her peers as someone deserving of the New Hampshire Star of Life award.

It is the thankless service of emergency medical personnel like Rebecca that save so many lives in a normal day of work.

Rebecca Coltey, of Rockingham Regional Ambulance, is recognized by her colleagues for her outstanding work ethic and professionalism towards everyone she encounters even the most critical. She is brighter as she begins planning her wedding, set for September.

Rebecca deserves great praise for the work she does. The selfless dedication she gives to her career in serving the needs of others in their most vulnerable time is a great asset to her character. New Hampshire applauds this fine individual for a job well done.

It is an honor and privilege serving Rebecca in the U.S. Senate.

TRIBUTE TO CAPTAIN HUMBERT “ROCKY” VERSACE

Mr. SMITH of New Hampshire, Madam President, I rise today to honor Captain Humbert Roque “Rocky” Versace, U.S. Army. On Monday, 8 July 2002, Captain Rocky Versace will be awarded posthumously the Congressional Medal of Honor for service in the Vietnam War.

On 29 October 1963, Captain Versace, along with First Lieutenant Nicholas Rowe, was captured in South Vietnam. Through time and place, Captain Versace demonstrated exceptional leadership, resolute adherence to the Code of Conduct and unflagging faith in his country. Captain Versace ultimately sacrificed his life rather than betray his country and the Viet Cong executed him in September 1965 as he set an example of an American officer that the Viet Cong could not tolerate. Captain Versace died upholdin the military creed of Duty, Honor, Country.

I want to recognize Captain Versace through the words of his fellow captive, Nick Rowe, who escaped from captivity to freedom on 31 December 1968. Nick Rowe remained in the Army, rose to the rank of Colonel, and continued to serve in Special Forces until April 1989, when he was assassinated by the communist New People’s Army in Manila, Philippine Islands. His captivity memoir, “Five Years to Freedom” was published in 1971 and contains this tribute.

The tribute follows:

Nick Rowe’s thoughts to Rocky Versace

He stood as others dream to stand;
He spoke as others dared not even think;
From soul deep faith, he drew his courage,
His granite spirit, his ironclad will.
The Alien force, applied with hate,
Could not break him, failed to bend him;
Though solitary imprisonment gave him no
Future looks even
Brighter as she begins planning her
Wedding, set for September.

It is the thankless service of emergency medical personnel like Rebecca that save so many lives in a normal day of work.

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for, I imagine, as he lived alone; so they arranged for him to die alone; But in my mind there is no doubt, as he stood while he was alive, Duty bound. Honor bound. Unswerving in allegiance, so he stood the day he . . . a Rock.—JAMES NICHOLAS ROWE, “Five Years to Freedom,” pp. 205–206.

HONORING DENNIS MECHEM

Mr. SMITH of New Hampshire. Madam President, I rise today to pay tribute to the “New Hampshire Star of Life.” Dennis Mechem has been chosen by his peers as someone deserving of the New Hampshire’s Star of Life award.

It is the thankless service of emergency medical personnel like Dennis that save so many lives in a normal day of work.

Dennis Mechem, of Rockingham Regional Ambulance, is known for his positive work ethic as well as his professionalism and demeanor toward his patients, co-workers, and other professional. His positive work ethic as well as his professional Ambulance, is known for his emergency medical personnel like Dennis that save so many lives in a normal day of work.

Jennifer Shea, of American Medical Response, was awarded New Hampshire’s Star of Life because of her example of commitment and dedication to American Medical Response. Her serving attitude is a great source of motivation for other employees. Being a self-motivator has consistently helped her move quickly to the top. It is Jennifer’s hope to continue in her education to further assist in emergency medicine.

Jennifer deserves great praise for the work she does. The selfless dedication she gives to her career in serving the needs of others in their most vulnerable time is a great asset to her character. New Hampshire applauds this fine individual for a job well done.

It is an honor and privilege serving Dennis Mechem in the U.S. Senate.

TRIBUTE TO FISHER SCIENTIFIC INTERNATIONAL

Mr. SMITH of New Hampshire. Madam President, I rise today to pay tribute to Fisher Scientific International of Hampton, NH. Marking a century of success, the company celebrated its anniversary on May 6, by ringing the bell at the close of trading at the New York Stock Exchange.

I commend Fisher Scientific for selling more than 600,000 products in 145 countries. Staying true to its mission, “In the Growth of Science,” Fisher or one of its subsidiaries has produced products, instruments, and supplies for Thomas Edison’s inventions, defense from Nazi chemical weapons in WWII, development of polio vaccine, the Manhattan Project, the space shuttle, and the human genome project. I applaud your contribution to the growth in medicine and science.

Fisher has acquired more than 30 companies, allowing it to expand and add to its growing list of products. I am pleased with your vision of a global company that will continue to move forward in the next 100 years in a similar course. I commend you for supplying safety equipment in the wake of the September 11th attack on the World Trade Center and encourage your focus on safety and other medical products. Your contributions are invaluable.

Fisher continues to demonstrate why it won the Pittsburgh Award in 1947, a prestigious award from the American Chemical Society. Fisher has influenced and shaped every aspect of our modern life and will continue to prosper and serve the people of New Hampshire with its precise and steady growth. It is an honor and privilege to represent you in the U.S. Senate.

HONORING JENNIFER SHEA

Mr. SMITH of New Hampshire. Madam President, I rise today to pay tribute to Jennifer Shea, of American Medical Response, for her example of commitment and dedication to American Medical Response. Her serving attitude is a great source of motivation for other employees. Being a self-motivator has consistently helped her move quickly to the top. It is Jennifer’s hope to continue in her education to further assist in emergency medicine.

Jennifer deserves great praise for the work she does. The selfless dedication she gives to her career in serving the needs of others in their most vulnerable time is a great asset to her character. New Hampshire applauds this fine individual for a job well done.

It is an honor and privilege serving Jennifer Shea in the U.S. Senate.

MESSAGE FROM THE HOUSE

At 3:03 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 431. An act to provide that the pension and individual retirement arrangement provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall be permanent.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 431. An act to provide that the pension and individual retirement arrangement provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall be permanent.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-7536. A communication from the Under Secretary of Defense, Acquisition, Technology and Logistics, transmitting, pursuant to law, a report entitled “Report on Activi-

EC-7537. A communication from the Direc-

EC-7538. A communication from the Direc-

EC-7539. A communication from the Regu-

EC-7540. A communication from the Direc-

EC-7541. A communication from the Sec-

EC-7542. A communication from the Direc-

EC-7543. A communication from the Presi-

EC-7544. A communication from the Acting

EC-7545. A communication from the Execu-

EC-7546. A communication from the Admin-

EC-7547. A communication from the Admin-

CONGRESSIONAL RECORD — SENATE

June 24, 2002
Grown in Florida: Modifying Procedures and Establishing Regulations to Limit the Volume of Small Red Seedless Grapefruit” (Doc. No. FV01-905-1 FFR; FV01-905-2 FPR) received on June 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7548. A communication from the Administrator, Agricultural Marketing Service, Food and Specialty Crops Division, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “E U Surface Area at Lompoc, CA; docket no. 01-AWP–23 Direct Final Rule; Request for Comments” (RIN2120–AA66 (2002–0035)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7581. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures: Miscellaneous Amendments (35); Amdt No. 2099” (RIN2120–AA65 (2002–0035)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7562. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Pratt and Whitney PW4000 Series Turbofan Engines (RIN2120–AA64) (2002–0278)” received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7566. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Pratt and Whitney JTBD Series Turbofan Engines” (RIN2120–AA64 (2002–0278)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7567. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 737, 700, 700C and 800 Series Airplanes” (RIN2120–AA64 (2002–0269)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7577. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 737, 700, 700C and 800 Series Airplanes” (RIN2120–AA64 (2002–0269)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7571. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: McDonnell Douglas MD–80 Series Airplanes and Model MD–88 Airplanes; CORRECTION” (RIN2120–AA64 (2002–0259)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7573. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 737–600, 700, 700C and 800 Series Airplanes” (RIN2120–AA64 (2002–0267)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7574. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: McDonnell Douglas MD–80 Series Airplanes and Model MD–88 Airplanes” (RIN2120–AA64 (2002–0268)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7576. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 737, 700, 700C and 800 Series Airplanes” (RIN2120–AA64 (2002–0269)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7577. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 737, 700, 700C and 800 Series Airplanes” (RIN2120–AA64 (2002–0269)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.
EC-7578. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 737, 757, and 767 Series Airplanes” ((RIN2130-AA64) (2002-0263)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7579. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: General Electric Company CF6-6, CF6-85, and CF6-50 Series Turbofan Engines” ((RIN2120-AA64) (2002-0265)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7580. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Eurocopter France Model AS365NBA and B2 Helicopter” ((RIN2120-AA64) (2002-0266)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7581. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Eurocopter France Model AS365NBA and B2 Helicopter” ((RIN2120-AA64) (2002-0267)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7582. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: General Electric Company CF6-6, CF6-85, and CF6-50 Series Turbofan Engines” ((RIN2120-AA64) (2002-0268)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7583. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Sikorsky Aircraft Corporation Model S-76A Helicopters” ((RIN2120-AA64) (2002-0276)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7584. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: MD Helicopter, Inc., Model 600N Helicopters” ((RIN2120-AA64) (2002-0270)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7585. A communication from the Regulation Officer, Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Certification of Safety Abuse Assessors, and Safety Inspectors; Delay of Effective Date” ((RIN2136-AA64) (2002-0663)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7586. A communication from the Attorney, Research and Special Programs Administration to the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Hazardous Materials: Revised and Clarified Hazardous Material Safety Rating Program Procedures” ((RIN2137-AD20) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7587. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Head Impact Protection; Interim Final Rule” ((RIN2127-1A16) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7588. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Passenger Equipment Safety Standards” ((RIN2130-AA48) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUYE, from the Committee on Indian Affairs, without amendment:

S. 214: A bill to elevate the position of Director of the Indian Health Service within the Department of Health and Human Services to Assistant Secretary for Indian Health, and for other purposes. (Rept. No. 107-107).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1788: A bill to authorize the Secretary of the Interior to accept the donated portion of the so-called Bay-Delta Program. (Rept. No. 107-171).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:


H.R. 309: A bill to provide for the determination of withholding tax rates under the Guam income tax. (Rept. No. 107-173).

By Mr. LIEBERMAN, from the Committee on Governmental Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 603: A bill to enhance the management and promotion of electronic Government services and processes by establishing a Federal Chief Information Officer within the Office of Management and Budget, and by establishing a broad framework of measures that require using Internet-based information technology to enhance citizen access to Government information and services, and for other purposes. (Rept. No. 107-174).

By Mr. LIEBERMAN, from the Committee on Governmental Affairs, with amendments:


INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CORZINE:

S. 3669. A bill to amend part A of title IV of the Social Security Act to toll the 5-year limit for assistance under the temporary assistance to needy families program for recipients who is experiencing significant increases in unemployment; to the Committee on Finance.

By Mr. KYL (for himself, Mr. DOMENICI, Mr. BINGAMAN, Mr. ALLARD, and Mr. CAMPBELL):

S. 2670. A bill to establish Institutes to conduct research on the prevention of, and restoration following forest and woodland ecosystems; to the Committee on Energy and Natural Resources.

By Mr. EDWARDS (for himself, Mr. DEWINE, Mr. KENNEDY, Mr. DODD, Ms. COLLINS, and Mrs. CLINTON):

S. 2671. A bill to amend the Child Care and Development Block Grant Act of 1990 to provide for child care quality improvements for children with disabilities or other special needs, and for other purposes; to the Committee on Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself and Mr. GRAHAM):

S. 2672. A bill to provide opportunities for collaborative restoration projects on National Forest System and other public domain lands, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LANDRIEU (for himself and Mr. BREAUX):

S. Res. 289. A resolution expressing the sense of the Senate that a commemorative postage stamp should be issued to celebrate the Bicentennial of the Louisiana Purchase; to the Committee on Governmental Affairs.

By Mr. SMITH of New Hampshire:

S. Res. 296. A resolution expressing the sense of the Senate regarding the designation of June 24, 2002 through July 24, 2002 as French Heritage (Le Mois De L’Heritage Francais); considered and agreed to.

ADDITIONAL COSPONSORS

S. 603.

At the request of Mr. LIEBERMAN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 603, a bill to provide for full voting representation in the Congress for the citizens of the District of Columbia to amend the Internal Revenue Code of 1986 to provide that individuals who are residents of the District of Columbia shall be exempt from Federal income taxation until such full voting representation takes effect, and for other purposes.

S. 611.

At the request of Ms. MIKULSKI, the names of the Senator from Nebraska (Mr. NELSON) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 611, a bill to amend title II of the Social Security Act to provide that the reduction in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds $1,200, adjusted for inflation.

S. 1152.

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1152, a bill to ensure that the business of the Federal Government is conducted in the public interest and in a
manner that provides for public accountability, efficient delivery of services, reasonable cost savings, and prevention of unwarranted Government expenses, and for other purposes.

S. 1339

At the request of Mr. CAMPBELL, the names of the Senator from Louisiana (Mrs. LANDRIEU), the Senator from Vermont (Mr. LEAHY), the Senator from West Virginia (Mr. ROCKEFELLER), and the Senator from North Carolina (Mr. EDWARDS) were added as cosponsors of S. 1339, a bill to amend the Brinkley Thrift and Retirement Act of 2000 to provide for the release of information used by blind or other persons with print disabilities in elementary and secondary schools, and for other purposes.

S. 1377

At the request of Mr. HARKIN, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of S. 1377, a bill to clarify and reaffirm a cause of action and Federal court jurisdiction for certain claims against the Government of Iran.

S. 2010

At the request of Mr. LEAHY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2010, a bill to provide for criminal prosecution of persons who alter or destroy evidence in certain Federal investigations or defraud investors of publicly traded securities, to disallow debts incurred as a result of securities fraud laws from being discharged in bankruptcy, to protect whistleblowers against retaliation by their employers, and for other purposes.

S. 2194

At the request of Mr. MCCONNELL, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 2194, a bill to hold accountable the Palestine Liberation Organization and the Palestinian Authority, and for other purposes.

S. 2215

At the request of Mrs. BOXER, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 2215, a bill to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil, and by so doing hold Syria accountable to its role in the Middle East, and for other purposes.

S. 2221

At the request of Mr. ROCKEFELLER, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 2221, a bill to temporarily increase the Federal medical assistance percentage for the medicaid program.

S. 2246

At the request of Mr. DODD, the names of the Senator from New Mexico (Mr. DOMENICI) and the Senator from Kentucky (Mr. BUNNING) were added as cosponsors of S. 2246, a bill to improve the availability of health services to veterans with particular needs.

S. 2460

At the request of Mr. LEAHY, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 2460, a bill to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from state laws prohibiting the carrying of concealed handguns.

S. 2490

At the request of Mr. TORRICELLI, the names of the Senator from New Jersey (Mr. CORZINE) and the Senator from Arkansas (Mr. HUTCHINSON) were added as cosponsors of S. 2490, a bill to amend title XVIII of the Social Security Act to ensure the quality of, and access to, skilled nursing facility services under the medicare program.

S. 2522

At the request of Mr. BIDEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2522, a bill to establish the Southwest Regional Border Authority.

S. 2570

At the request of Ms. COLLINS, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2570, a bill to temporarily increase the Federal medical assistance percentage for the medicaid program, and for other purposes.

S. 2583

At the request of Mr. CORZINE, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 2583, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs in the management of health care services for veterans to place certain low-income veterans in a higher health-care priority category.

S. 2608

At the request of Mr. REED, the names of the Senator from New Jersey (Mr. TORRICELLI) and the Senator from New Jersey (Mr. CORZINE) were added as cosponsors of S. 2608, a bill to amend the Coastal Zone Management Act of 1972 to authorize the acquisition of coastal areas in order better to ensure their protection from conversion or development.

S. 2611

At the request of Mr. REED, the name of the Senator from New Jersey (Mr. TORRICELLI) and the Senator from New Jersey (Mr. CORZINE) were added as cosponsors of S. 2611, a bill to authorize the Museum and Library Services Act, and for other purposes.

S. 2699

Amendment No. 3936

At the request of Mr. LEVIN, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from South Dakota (Mr. HOLLINGS) were added as cosponsors of S. Res. 281, a resolution designating the week beginning August 23, 2002, as the National Cystic Fibrosis Awareness Week.

S. Res. 281

AMENDMENT NO. 3936

At the request of Mr. NELSON of Florida, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of amendment No. 3936, an original bill to authorize appropriations for the fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 3952

At the request of Mr. NELSON of Florida, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of amendment No. 3952 intended to be proposed to S. 2514, an original bill to authorize appropriations for the fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORZINE:

S. 2669. A bill to amend part A of title IV of the Social Security Act to toll the 5-year limit for assistance under the temporary assistance to
needy families program for recipients who live in a State that is experiencing significant increases in unemployment; to the Committee on Finance.

Mr. CORZINE. Madam President, I rise today to introduce legislation, the Unemployment Protection for Low-Income Families on TANF Act, or UPLIFT Act, that will protect low-income families who are transitioning from welfare to work from losing their welfare benefits during periods of high unemployment.

Forcing families off welfare during a recession because they cannot find a job lacks common sense. In fact, during a weak economy, low-skilled workers and recently employed workers are more likely to lose their jobs, and unfortunately, only 30 to 40 percent of former welfare recipients who become unemployed qualify for Unemployment Insurance.

A single parent receiving welfare assistance while working 30 hours a week who loses her job during a recession should not be penalized. For families like this, welfare is the only unemployment insurance they have. But, under current law, Federal welfare time limits and work requirements continue to apply during periods of high-unemployment.

The Unemployment Protection for Low-Income Families through TANF Act, or UPLIFT Act, would require States to disregard Federal TANF assistance for all recipients when the national unemployment rate reaches or exceeds 6.5 percent or when a State unemployment rate rises by 1.5 percentage points over a three-month period.

Every percentage point increase in unemployment results in a welfare caseload increase of 5 percent. In addition to enacting a strong contingency fund for States experiencing high unemployment and increased caseloads, Congress must act to ensure that welfare is not time-limited and that welfare when the economy is weak and jobs are in short supply. In addition to promoting self-sufficiency, TANF programs should be a safety net for low-income families who are unable to find work or meet their needs.

My legislation will help parents who are trying to transition from welfare to work, but are unable to find work during a weak economy, to provide for their families without the fear of losing cash assistance. TANF programs are not only about moving people from welfare to work, it is also about reducing poverty and helping families in need.

While welfare reform has succeeded at moving thousands of people into work, its success has come in strong economic times. As people reach their age points over a three-month period, the numbers of eligible families have undoubtedly grown, our commitments to state spending, total federal and state investments have bought us as we undertake the difficult job of renewing our welfare system.

Mr. EDWARDS. Madam President, I ask unanimous consent that the text of the legislation be printed in the RECORD.

Mr. EDWARDS. Madam President, I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2699

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 “Unemployment Protection for Low-Income Families Through TANF Act of 2002” or the “UPLIFT Act of 2002.”

SEC. 2. DISREGARD OF MONTHS OF ASSISTANCE RECEIVED DURING PERIODS OF HIGH UNEMPLOYMENT.

(a) IN GENERAL.—Section 409(a)(7) of the Social Security Act (42 U.S.C. 609(a)(7)) is amended by adding at the end the following:

“(H) Disregard of assistance received during periods of high unemployment.—

“(1) In general.—In determining the number of months for which an adult has received assistance under a State or tribal program funded under this part, the State or tribal program operated under the State or tribe shall disregard any month in which the State is determined to be a high unemployment State.

“(2) Definition of high unemployment State.—For purposes of clause (1), a State shall be considered to be a high unemployment State for a month if it satisfies either of the following criteria:

“(A) State rate of unemployment.—The average rate of total unemployment (seasonally adjusted) in the State for the period consisting of the most recent 3 months for which data are available has increased by 1 percentage point over the corresponding 3-month period in either of the 2 most recent preceding fiscal years; or

“(B) Insured unemployment rate (seasonally adjusted) in the State for the most recent 3 months for which data are available has increased by 1 percentage point over the corresponding 3-month period in either of the 2 most recent preceding fiscal years.

“(ii) National rate of unemployment.—The average rate of total unemployment (seasonally adjusted) for the period consisting of the most recent 3 months for which data are published equals or exceeds 6.5 percent.

“(ii) Duration.—A State that is considered to be a high unemployment State under clause (i) for a month shall continue to be considered such a State until the rate that is used as the rate of unemployment under that clause for the most recently concluded 3-month period for which data are available, falls below the level attained in the period in which the State first qualified as a high unemployment State under that clause.”.

By Mr. EDWARDS for (himself, Mr. DEWINE, Mr. KENNEDY, Mr. DODD, Ms. COLLINS, and Mrs. CLINTON):

S. 2671. A bill to amend the Child Care and Development Block Grant Act of 1990 to provide for child care quality improvements for children with disabilities or other special needs, and for other purposes; to the Committee on Health, Education, Labor, and Pension.
most of my constituents, $4,000 is a lot of money. When I talk to parents in North Carolina about the challenges they face, I can assure you, affordable child care is an issue parents worry a lot about.

First, what does “affordable” child care look like? By that, I mean the child care that working parents can actually afford. The data on child care quality is daunting—45 percent of child care in America is rated as poor to mediocre. I invite my colleagues to think about a single young child, someone under 5, say, who they know personally. Perhaps someone in their family.

Would anyone in this body willingly permit a child to spend even one minute in a care setting described as “poor to mediocre”? Think about what that means for a healthy, growing infant or toddler. Young brains are developing, synaptic connections forming. The child’s verbal and motor skills are active, growing, testing limits. Scientists tell us that there is a fairly direct and crucial relationship between the time and quality of interaction with adult caregivers and the healthy social and psychological development of a young child. Enriched early care, a luxury care, a child who spends its critical early years in “poor to mediocre” care is like a runner who starts the race 20 yards behind the block. For the rest of his or her life, that child will be trying to catch up. And that’s wrong.

Now imagine that same child had a disability. If he or she had cerebral palsy, or a sight impairment, or a learning disorder, or autism. A healthy child might be able to overcome a poor to mediocre start in life, but some of our most vulnerable children may not.

As you might expect, it is more costly for child care providers to serve children with disabilities or other special needs. But often, states are under pressure to keep to record numbers of families who need child care assistance, and additional resources for children with disabilities or other special needs are not available. In many instances, providers simply are not able or willing to take on the unique challenges of caring for a disabled child. Children’s advocates and parents of children with disabilities have reported significant shortages of affordable, high quality child care for children with disabilities and other special needs. These findings have been affirmed by the General Accounting Office, the Institute of Medicine, and the National Research Council.

Low-income children are particularly at risk. Children in low-income families are more likely to be disabled than children in higher income families. Children who are poor are twice as likely to have a significant disability than their middle and upper income counterparts. A 2000 report based on interviews with California welfare recipients in 1992 and 1996 found that almost 20 percent of the families had at least one child who has a disability or illness. Low-income children also tend to live in poorer neighborhoods, compounding their lack of resources with the lack of readily available child care for special needs populations. As the GAO reported in 2003, “low-income neighborhoods tend to have less overall child care capacity and a much lower supply of for [special needs kids] than do higher-income neighborhoods.”

Finally, many child care providers require additional training and other resources to deliver the appropriate care, or to understand or comply with the Americans with Disabilities Act, ADA, or other applicable state or Federal standards.

The Nurturing Special Kids Act of 2002 would: set aside additional CCDF funding, after the Quality Set-Aside is funded, to expand access to affordable, high-quality child care for children with disabilities or other special needs; support child care programs that accept children with disabilities or other special needs; increase reimbursement rates to child care providers that reflect the additional cost of specialized care in the State; fund consultations by providers with licensed professionals to improve identification, offer options for other special needs, and strengthen providers’ ability to care for children with disabilities or other special needs; provide a comprehensive system of training and technical assistance to enable child care providers to care for children with disabilities or other special needs, including compliance with ADA and other regulatory requirements; provide grants for recruitment and retention of qualified staff; and provide grant funding for public agencies and private non-profits for projects that increase the availability of inclusive child care programs, up to 50 percent special needs kids.

Most of us were elected to the Senate for one purpose: to stand for the vulnerable and for the defenseless when we make decisions that shape our society’s future. To ensure that, whatever we do, we secure for all Americans, no matter their physical or mental disability, or other ability or impairment, the capacity to grow and succeed to the limits of their potential.

I join with my friend, Senator DeWINE, in introducing the Nurturing Special Kids Act of 2002, and I invite my colleagues to share this responsibility. It is essential for all children with disabilities or other special needs to have access to affordable, high quality child care for children with disabilities or other special needs.

Mr. DeWINE. Madam President, I rise today with my colleague and friend from North Carolina, Senator Edwards, to introduce the Nurturing Special Kids Act of 2002. Our bill would expand access to affordable, high quality child care for children with disabilities or other special needs.

We need this bill because the reality is that children from low-income families are more likely to have disabilities or other special needs. They are twice as likely as children from higher-income families to have a significant disability, nearly twice as likely to have serious mental or physical disabilities, and 1.3 times as likely to have learning disabilities.

Parents and the disability community continually struggle to secure affordable, high quality specialized childcare for children with disabilities and other unique needs. Specialized childcare is costly to deliver and often requires additional training for caregivers. Furthermore, many childcare centers simply cannot afford to create a setting that is accessible for disabled children or equipped to meet the physical or emotional challenges of these children.

Our legislation would help remedy this by providing technical assistance to help families locate specialized care. Additionally, the bill sets aside a portion of the Childcare and Development Block Grant funds specifically for special needs care. This funding could be used to increase a special needs child care voucher, or enable states to provide specialized training to better understand a child’s disability, provide proper care, or set up centers designed to provide specialized care to children with particular conditions, like autism, Down Syndrome, or Cerebral Palsy. Additionally, our bill help disabled children, but it also would help all children with special needs by providing technical assistance to help families locate specialized care.

No one can replace a parent, but parents who work outside the home need to feel confident that the people caring for their children are giving them the same type of love and support that they would provide. In the case of a disabled child, parents also want to make sure that the caretakers of their children are trained to deal with special needs.

This bill is necessary to ensure that when parents work, they have access to quality care. I urge my colleagues to join us in support.

By Mr. BINGAMAN (for himself and Mr. CRAIG):

S. 2672. A bill to provide opportunities for collaborative restoration projects on National Forest System and other public domain lands, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Madam President, today I am introducing legislation to authorize a coordinated, consistent, community-based program to restore and maintain the ecological integrity of degraded National Forest System and public lands watersheds. I am pleased to be introducing this legislation with Senator CRAIG. He has been a true champion for rural, natural resource-dependent communities.

Two years ago, residents of Los Alamos were evacuated to escape the Cerro Grande fire. Many ultimately lost their homes. While the devastation that resulted from the fire will not soon be forgotten, this event also was
significant because it finally focused our attention on a problem that has been brewing for a long time, increasing fire risk due to the degraded condition of our national forests and public lands. Unfortunately, the problem continues this year’s fires continue to threaten national forests and public lands. Increasing threats to people and homes as a result of forest fires is only one symptom of the current condition of our national forests and public lands. Water quality, water flows, animal and plant habitats are all adversely affected. Moreover, the health of adjacent communities is at risk when our national forests and public lands are in a degraded condition. Restoration is desperately needed. Three years ago, I introduced the Community Forest Restoration Act, a bill to establish a cooperative forest restoration program in New Mexico to begin addressing this problem in a collaborative way. Ultimately, the legislation was enacted into law. Implementation has been very successful to date.

Through my work on the Community Forest Restoration Act and other similar efforts, it has become clear to me that new and creative approaches to the management of our forests is critical to ensure a meaningful future for both our federal lands and the communities that depend on these lands. A major, multi-year investment in restoration work on our national forests and Federal lands is a critical component of achieving our desired result. Senator Craig and I, as well as other Members, have worked to secure increased funding for such an investment. The additional funding that Congress has approved for the last few years for hazardous fuels reduction near communities is one example of our success.

However, an investment alone is not enough. An investment in our natural resources is only as good as the way that benefits the rural communities located within and adjacent to our national forests and public lands. I grew up in Silver City, New Mexico, a forested community adjacent to the Gila National Forest. I learned firsthand that if the forest is in good shape, the community is in good shape.

The Federal land managers need to respect local and traditional knowledge by including it in project planning. Collaborative forestry represents a way to integrate local knowledge and science in order to make the best decisions about how to take care of the land.

Communities are coming together to restore the ecological integrity and resiliency of our public lands. In New Mexico, groups such as Las Humanas Cooperative, the Truchas Land Grant, the Catron County Citizens Group, and the Rocky Mountain Youth Corps are working to restore watersheds and build high-skill, high-wage jobs and economic opportunities in rural communities. In the Pacific Northwest, groups such as Sustainable Northwest, Wallowa Resources, and partners for a Sustainable Methow are seeking ways to increase the stewardship role of local communities in the maintenance and restoration of ecosystem integrity and biodiversity. In California, the Watershed Research & Training Center is striving tirelessly to include communities in the Service’s planning, restoration projects, and follow up monitoring of restoration. At the national level, the Forest and the National Network for Forest Practitioners are implementing changes in policy to ensure that community benefits are an integral component of national forests and public land management.

The legislation that Senator Craig and I are introducing today is meant to help facilitate these types of approaches nationwide. Communities cannot create collaboratively restore our national forests and public lands alone. The Federal government is an important partner in this effort. And this legislation will provide much-needed new authority and programs to assist communities.

A few years ago, representatives from the Forest Service, the Forest Products Laboratory, and the states worked together in my State to make recommendations on how to find new markets for products created from small trees that need to be removed to reduce fire threat. They noted that a lack of entrepreneurs and micro-businesses, and the Federal conservation corps, and other parties to encourage them to provide services and products that facilitate the restoration of damaged lands; and improve communication and joint problem-solving, compliance with State environmental laws, among individuals and groups who are interested in restoring the diversity and productivity of watersheds.

SEC. 2. DEFINITIONS. As used in this Act:
(1) the term ‘public lands’ has the meaning given such term in section 103(o) of the Federal Land Policy and Management Act (43 U.S.C. 1702(o)).
(2) the term ‘National Forest System’ has the meaning given such term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1609(a)).
(3) the term ‘Secretaries’ means the Secretary of Agriculture acting through the Chief of the Forest Service and the Secretary of the Interior acting through the Director of the Bureau of Land Management.
(4) the term ‘restore’ means to incorporate historic, current, and new scientific information as it becomes available, to reintroduce, maintain, or enhance the characteristics, functions, and ecological processes of healthy, properly functioning watersheds.
(5) the term ‘local’ means within the state region where the restoration project, or projects, are conducted.
(6) the term ‘micro-enterprise’ means a nonsubsidiary business or cooperative employing 5 or fewer people.
(7) the term ‘small enterprise’ means a nonsubsidiary business or cooperative employing between 6 and 25 people.
(8) the term ‘value-added processing’ means additional processing of a product to increase its economic value and to create additional jobs and benefits where the processing is done.
(9) the term ‘low-impact equipment’ means the use of equipment for restoration, maintenance, or extraction purposes that minimizes or eliminates impacts to soils and other resources.
(10) The terms “rural” and “rural area” mean any area other than a city or town that has a population of greater than 50,000 inhabitants.

SEC. 4. ESTABLISHMENT OF PROGRAM.

(a) Requirements.—The Secretaries shall jointly establish a National Forest System and public lands collaborative community-based restoration program. The purposes of the program shall be:

(1) to identify projects that will restore degraded National Forest System and public lands; and

(2) to implement such projects in a collaborative way and in a way that builds rural community capacity to restore and maintain in perpetuity the health of the National Forest System and public lands.

(b) COOPERATION.—The Secretaries may enter into cooperative agreements with willing tribal governments, State and local governments, private and nonprofit entities and landowners for protection, restoration, and enhancement of fish and wildlife habitat, forests, and other resources in the National Forest System and public lands.

(c) (1) MONITORING.—The Secretaries shall establish a multiparty monitoring, evaluation, and reporting process in order to assess the cumulative accomplishments or adverse impacts of projects implemented under this Act. The Secretaries shall include any interested individual or organization in the monitoring and evaluation process.

(2) Not later than 5 years after the date of enactment of this Act, the Secretaries shall submit a report to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives detailing information gathered as a result of the multiparty monitoring and evaluation. The report shall include an assessment on whether, and to what extent, the projects funded under this Act are meeting the purposes of the Act.

(d) The Secretaries shall ensure that monitoring data is collected and compiled in a way that the general public can easily access. The Secretaries may collect the data using cooperative agreements, grants, or contracts with small or micro-enterprises, or Youth Conservation Corps. The Secretaries shall include outreach specialists, grants and agreements and public-private partnerships with State, local, and other non-Federal conservation corps.

(e) The Secretaries shall hire additional outreach specialists and contract specialists in order to implement this Act.

SEC. 5. FOREST RESTORATION AND VALUE-ADDED CENTERS.

(a) Establishment.—Subject to subsection (d), the Secretaries shall provide cost-share grants, cooperative agreements, or both to establish Restoration and Value-Added Centers in order to improve the implementation of collaborative, community-based restoration projects on National Forest System or public lands.

(b) Requirements.—The Restoration and Value-Added Centers shall provide technical assistance to non-profit organizations, existing small or micro-enterprises or individuals interested in creating a natural-resource related small or micro-enterprise in the following areas—

(1) planning, and

(2) processing techniques for the byproducts of restoration and value-added manufacturing.

(c) ADDITIONAL REQUIREMENTS.—The Restoration and Value-Added Centers shall provide technical assistance in—

(1) using the latest, independent peer-reviewed information and methodology to accomplish restoration and ecosystem health objectives,

(2) workforce training for value-added manufacturing and restoration,

(3) marketing and business support for conservation-based small and micro-enterprises,

(4) assisting urban markets for small and micro-enterprises located in rural communities,

(5) developing technology for restoration and the use of products resulting from restoration,

(6) accessing funding from government and non-governmental sources,

(7) development of economic infrastructure including collaborative planning, proposal development, and grant writing where appropriate.

(d) LOCATIONS.—The Secretaries shall ensure that at least one Restoration and Value-Added Center is located within Idaho, Montana, Wyoming, New Mexico, California, Oregon, and eastern Oregon and that every Restoration and Value-Added Center is easily accessible to rural communities that are adjacent to or surrounded by National Forest System or other public lands throughout the region.

(1) The Secretaries may enter into partnerships and cooperative agreements with Federal agencies or other organizations, including local non-profit organizations, conservation groups, or community colleges in creating and maintaining the Restoration and Value-Added Centers.

(2) The appropriate Regional Forester and State Bureau of Land Management Director will issue a request for proposals to create a Restoration and Value-Added Center. The Regional Forester and State Bureau of Land Management Director will select a proposal with input from existing Resources and Technical Advisory Committees where appropriate.

(3) The Secretary of Agriculture shall provide funding for these Centers in a way that the general public can easily access. The Secretaries shall include outreach specialists, grants and agreements and public-private partnerships with State, local, and other non-Federal conservation corps.

(e) The Secretaries shall hire additional outreach specialists and contract specialists in order to implement this Act.

SEC. 6. COMMUNITY-BASED NATIONAL FOREST SYSTEM AND PUBLIC LANDS RESTORATION.

(a) Establishment.—(1) Subject to paragraph (2), in order to enhance federal procurements, the Federal Grant and Cooperative Agreements Act of 1977 (31 U.S.C. 6301 et seq.), and the Competition in Contracting Act, on an annual basis, the Secretaries shall limit competition for special salvage timber sales, timber sale contracts, service contracts, construction contracts, supply contracts, emergency equipment rental agreements, architectural and engineering contracts, challenge cost-share agreements, cooperative agreements, and lease agreements to ensure that the percentage of the total dollar value identified in paragraph (2), but not to exceed 50 percent in any year, is awarded to—

(A) natural-resource related small of micro-enterprises;

(B) Youth Conservation Corps crews or related partnerships with State, local and other non-Federal conservation corps;

(C) any entity that will hire and train local people to complete the service or timber sale contract;

(D) any entity that will re-train non-local traditional forest workers to complete the service or timber sale contract; or

(E) a local entity that meets the criteria to qualify for the Historically Underutilized Business Zone Program under section 32 of the Small Business Act (15 U.S.C. 657a).

(2) In the first year beginning after the date of enactment of this Act, the Secretaries shall ensure that 25 percent of the total dollar value of contracts and agreements are awarded pursuant to paragraph (1). In the second year after the date of enactment of this Act, the Secretaries shall ensure that 20 percent of the total dollar value of contracts and agreements are awarded pursuant to paragraph (1). In subsequent years, this percentage shall increase by 10 percent each year.

(b) NOTICE OF NATIONAL FOREST SYSTEM PROGRAM.—At the beginning of each fiscal year, each unit of the National Forest System shall make its advanced acquisition plan publicly available, including publishing it in local newspapers for a minimum of 15 working days.

(c) BEST VALUE CONTRACTING.—In order to implement projects, the Secretaries may select a source for performance of a contract or agreement on a best value basis with consideration of one or more of the following:

(1) Understanding of the technical demands and scope of the work to be done.

(2) Ability of the offeror to meet desired ecological objectives of the project and the sensitivity of the resources being treated.

(3) The potential for benefit to local small and micro-enterprises.

(4) The past performance and qualification by the contractor with the type of work being done, the application of low-impact equipment, and the ability of the contractor or purchaser to meet desired ecological conditions.

(5) The commitment of the contractor to training workers for high wage and high skill jobs.

(6) The commitment of the contractor to hiring highly qualified workers and local residents.

(d) PROCUREMENT.—The Secretaries shall ensure that the Forest Service and Bureau of Land Management Memorandum of Understanding on the Small Business Set-Aside Program shall not be modified and the Small Business Administration shares prescribed in the Small Business Set-Aside Program acting on behalf of the United States.

SEC. 7. NATIONAL FOREST SYSTEM RESEARCH AND TRAINING.

(a) Establishment of Program.—The Secretary of Agriculture shall establish a program of applied research using the resources of the Forest Service Research Station and the Forest Product Laboratory. The purposes of the program shall be to—

(1) identify restoration methods and treatments that minimize impacts to the land,
such as through the use of low-impact techniques and equipment; and (2) test and develop value-added products created from the by-products of restoration.

b) Dissipate the Research to Communities.—The Secretary of Agriculture shall disseminate the applied research to rural communities, including the Restoration and Value-Adder Program.

c) Training.—The Secretary of Agriculture shall annually conduct training workshops and classes in such communities to ensure that residents of such communities have access to the information.

(d) Cooperation.—In establishing the programs required pursuant to this section, the Secretary of Agriculture may partner with nonprofit organizations or community colleges.

MONITORING.—In designing the multiparty monitoring and evaluation process to assess the cumulative accomplishments or adverse impacts of projects implemented under this Act pursuant to section 4, the Secretaries shall use the expertise of Service Forest Research Stations.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

The Secretary of Agriculture may partner with USFS/BLM partners for over 10 years to implement projects in a way that promotes collaboration, builds community capacity, and establishes multi-party monitoring. These emphases are consistent with the principles of community-based forestry that we and our community partners have developed over recent years.

American Forests is the oldest national nonprofit organization in the U.S. Since 1875, we have worked with scientists, resource managers, policymakers, and citizens to promote policies and programs that help people improve the environment with trees and forests. We partner with public and private organizations in communities around the country providing technical information and resources to leverage local actions.

We believe your bill is an excellent vehicle for addressing some of the most challenging concerns of facing resource managers and communities in the United States. Hazardous fuels build-up, insect infestation, and the degradation of fish and wildlife habitat are among key concerns on these lands. Collaborative projects involving communities present promising means to address these problems while building community capacity. The American public depends on public and private organizations that help workers in resource-dependent communities to do even-more-critical restoration work on our federal lands. The technical and financial assistance, opportunities for partnerships, innovative contracting mechanisms, program of applied research, and monitoring activities in your bill are critical to achieving this effort.

Sincerely,

Executive Director.
Service and the Bureau of Land Management undertake through contract services. I am pleased to be introducing this legislation with Senator Bingaman. His persistence in working on this legislation is a testament to his interest in sound forest management that is good for the environment, as well as good for thousands of small rural communities.

Senator Bingaman and I both understand that we have fundamental problems with the management of many of our public lands. We both have seen the devastation that catastrophic fires are imposing on our Western forests. Two years ago as a result of the Cerro Grande Fire that consumed portions of Los Alamos, New Mexico, many Americans had to face up to the deplorable forest health conditions and the devastating impacts of these catastrophic fires. The recent fires in Colorado, New Mexico and now Eastern Arizona are re-enforcing the message that we simply cannot stand back and ignore the deplorable health conditions in our public forests.

While many in the West, including Senator Bingaman and myself, have long understood the challenge of poor forest health followed by these conflagrations, nothing focuses your attention like a community in your State consumed in a raging forest fire. As a result of this watershed event, Congress is now making the funding for the National Fire Plan. Having grown up near Cascade, ID, I know that large forest fires are not new to our community. But when in the space of three years a third of two national forests were consumed in large intense fires, such as those that occurred on the Boise and Payette National Forest in 1994 and 1996, you are forced to conclude something has gone wrong.

I believe the legislation Senator Bingaman and I are introducing today will help the Federal land managers take advantage of the local and traditional knowledge as well as take advantage of the under utilized woods workforce that has been put out of work over the last decade. This legislation will help small rural communities re-establish a close working relationship with these communities and it will be very good for the public land. Like any new experimental program we have included a number of provisions that first are designed to phase into these new relationships and secondly, designed to ensure that the Restoration and Value-Added Centers will not become a long term financial burden to the American public. We have included provisions to shift away from federal financing and toward private funding sources five years after the opening of the centers. Additionally, we have included monitoring provisions to check for these new programs and make corrections as needed. Finally, I would be remiss if I did not recognize the coalition who helped to mobilize the Western public lands for our National Fire Plan.

We understood that we needed to construct more opportunities for our Federal land managers to work cooperatively with the people living in these rural communities. We understood that we needed to change dynamics so the knowledge, logic and wisdom harbored within the citizen of these small rural communities could be tapped to improve our public lands.

The legislation that we are introducing today will authorize the establishment of Restoration and Value-Added Centers designed to help small communities to work with businesses be better prepared to help our Federal land managers complete the forest management work that our forests so desperately need.

When Congress directed the Forest Service, BLM and other land management agencies to develop the National Fire Management Plan, and then increased funding for fire prevention, suppression, and restoration activities, many of the proponents expected much of the work would be funneled to smaller communities to take advantage of the expertise that exists in these communities as well as to help stabilize the economies of these areas. Sadly, most of the Federal agency’s funding and efforts have been consumed with fire fighting and by the looks of this fire season that is not going to improve any time soon. Very little restoration work will be undertaken before they occur has been undertaken. Thus, we have not seen sufficient efforts made to take advantage of the human resource located in these small rural communities.

I believe the legislation Senator Bingaman and I are introducing today will help the Federal land managers take advantage of the local and traditional knowledge as well as take advantage of the under utilized woods workforce that has been put out of work over the last decade. This legislation will help small rural communities re-establish a close working relationship with these communities and it will be very good for the public land. Like any new experimental program we have included a number of provisions that first are designed to phase into these new relationships and secondly, designed to ensure that the Restoration and Value-Added Centers will not become a long term financial burden to the American public. We have included provisions to shift away from federal financing and toward private funding sources five years after the opening of the centers. Additionally, we have included monitoring provisions to check for these new programs and make corrections as needed. Finally, I would be remiss if I did not recognize the coalition who helped to form and clarify the thinking of Senator Bingaman and myself as we developed this proposal. We held lengthy hearings to which many in the coalition traveled long distances to participate. They have been inspirational in their willingness to think outside the box and to work with our staff to refine this proposal.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 289—EXPRESSING THE SENSE OF THE SENATE THAT A COMMEMORATIVE POSTAGE STAMP SHOULD BE ISSUED TO CELEBRATE THE BICENTENNIAL OF THE LOUISIANA PURCHASE

Ms. LANDRIEU (for herself and Mr. BREAUX) submitted the following resolution; which was referred to the Committee on Governmental Affairs:

S. Res. 289

Resolved.

SECTION 1. SENSE OF THE SENATE.—That the sense of the Senate is that a commemorative postage stamp should be issued to celebrate the Bicentennial of the Louisiana Purchase.

(a) FINDINGS.—The Senate finds the following:

(1) The Bicentennial of the Louisiana Purchase occurs in 2003, 200 years after the United States, under the Presidency of Thomas Jefferson and after approval by Congress, paid $15,000,000 to acquire the 800,000 square mile territory stretching from Canada to the Gulf of Mexico and from the Mississippi River to the Rocky Mountains.

(2) The Louisiana Purchase doubled the size of the United States and still remains the largest peaceful land transaction in history.

(3) The Louisiana Purchase, following exploration by Meriwether Lewis and William Clark, allowed an unprecedented age of settlement and achievement by the people of the United States in the Nation’s heartland.

(4) The land acquired in the Louisiana Purchase comprised all or part of the States of Arkansas, Colorado, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming.

(5) Commemoration of the Louisiana Purchase and the subsequent opening of the American heartland through the issuance of a United States postage stamp would (A) heighten public awareness of the impact of the Louisiana Purchase on the American society through the expansion and development of the West; and

(B) benefit the American public by providing a lesson for continued democratic governance in the United States.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Citizens’ Stamp Advisory Committee should recommend to the Postmaster General that a commemorative postage stamp be issued in 2003 to celebrate the Bicentennial of the Louisiana Purchase.

SEC. 2. TRANSMITTAL TO CITIZENS’ STAMP ADVISORY COMMITTEE

The Secretary of the Senate shall transmit a copy of this resolution to the chairperson of the Citizens’ Stamp Advisory Committee.
SA 3966. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title X, add the following:

SEC. 1065. AUTHORITY TO MAKE PAYMENT TO HARRIET TUBMAN HOME, AUBURN, NEW YORK.

(a) AUTHORITY.—(1) The Secretary of Defense may, out of any amounts available for obligation, make a payment to the Harriet Tubman Home in Auburn, New York, in the amount of $11,750.

(2) The amount specified in paragraph (1) is the amount of widow’s pension that Harriet Tubman should have received from January 1889 to March 1913 under various laws authorizing pension for the death of her husband, Nelson Davis, a deceased veteran of the Civil War, but did not receive, adjusted for inflation since March 1913.

(b) USE OF AMOUNTS.—The Harriet Tubman Home shall use any amounts received paid under subsection (a) for purposes of—

(1) preserving and maintaining the Harriet Tubman Home;

(2) honoring the memory of Harriet Tubman.
The amendment was not available for printing. It will appear in a future edition of the Record.
SEC. 1024. TRANSFERS OF NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES.

(a) TRANSFER.—The Secretary of the Navy is authorized to transfer vessels to foreign countries on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761) as follows:

(1) Taiwan.—To the Taipei Economic and Cultural Representative Office in the United States (which is the Taiwan instrumentality designated pursuant to section 19(a) of the Taiwan Relations Act), the KIDD class guided missile destroyers KIDD (DDG 993), CALLAGHAN (DDG 994), SCOTT (DDG 995), and COLE (DDG 996).

(2) Turkey.—To the Government of Turkey, the OLIVER HAZARD PERRY class guided missile frigates ESTOCIN (FFG 15) and SAMUEL ELIOT MORISON (FFG 13).

(3) Mexico.—To the Government of Mexico, the NEWPORT class landing ship

Navy shipyard.

(b) CONSTRUCTION WITH OTHER TRANSFER AUTHORITY.—The authority to transfer vessels on a sale basis under paragraph (1) or (2) of subsection (a) is effective only to the extent that authority to effectuate such transfers, together with appropriations to cover the associated cost (as defined in section 502 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1210)), are provided in advance in an appropriations Act.

(c) REQUIREMENT FOR PROVISION IN ADVANCE OF AN APPROPRIATIONS ACT.—Authority to transfer vessels on a sale basis under subsection (a) is effective only to the extent that authority to effectuate such transfers, together with appropriations to cover the associated cost (as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661(a)), are provided in advance in an appropriations Act.

(d) NOTIFICATION OF CONGRESS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to Congress, for each naval vessel that is to be transferred under this section before January 1, 2003, the notifications required under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2331) and section 525 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (Public Law 105–105; 111 Stat. 2413).

(e) COSTS OF TRANSFERS.—Any expense incurred by the United States in connection with a transfer authorized by this section shall be charged to the recipient.

(f) REPAIR AND REFURBISHMENT IN UNITED STATES SHipyards.—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a shipyard located in the United States, including a United States Navy shipyard.

(g) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under this section shall expire at the end of the two-year period beginning on the date of the enactment of this Act.

NOTICES OFhearings/meetings

Mr. BILL GARN. Mr. President, would like to announce for the information of the Senate and the public that the Committee on Energy and Natural Resources has scheduled a field hearing in Albuquerque, NM, to examine the impacts of drought on Reclamation projects in New Mexico, particularly the Rio Grande and Pecos River basins.

The hearing will take place on Tuesday, July 2, at 2:00 p.m. at a location to be announced.

Those wishing to submit written statements on the subject matter of this hearing should address them to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510.

For further information, please call Mike Connor at 202–224–5479.

COMMITTEE ON INDIAN AFFAIRS

Mr. INOUYE. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, June 26, 2002, at 10:00 a.m. in Room 628 of the Dirksen Senate Office Building to conduct an oversight hearing on the status of the dialogue between the U.S. Department of the Interior and American Indian and Alaska Native leaders on various alternatives for the reorganization of the bureau of the Interior to improve the Department's management of tribal trust funds.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. INOUYE. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, July 10, 2002, at 10:00 a.m. in Room 485 of the Russell Senate Office Building to conduct an oversight hearing on Native American Elder Health Issues.

Those wishing to provide additional information may contact the Indian Affairs Committee at 224–2251.

PRIVILEGES OF THE FLOOR

Mr. DORGAN. Mr. President, on behalf of Senator CANTWELL, I ask unanimous consent that, unless otherwise ordered by the President, the rule of the Senate, that each country to which the vessel is transferred shall have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a shipyard located in the United States, including a United States Navy shipyard.

Mr. LEVIN. Mr. President, I ask unanimous consent that James Clapsaddle of the Air Force, a legislative fellow in Senator CARNAHAN's office, be granted floor privileges during the consideration of S. 2514.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I ask unanimous consent that Pat Manners, a fellow in Senator JEFFORD's office, be granted floor privileges during the consideration of S. 2514.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. I ask unanimous consent that Craig Faller, a military fellow, be afforded privileges of the floor for the duration of S. 2514.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—H.R. 4931

Mr. REID. Madam President, I ask unanimous consent that H.R. 4931 is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill first time.

The legislative clerk read as follows:

A bill (H.R. 4931) to provide that the pension and individual retirement arrangement provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall be permanent.

Mr. REID. I ask for its second reading and object to my own request.

The PRESIDING OFFICER. The objection having been heard, the bill will receive its second reading on the next legislative day.

FRENCH HERITAGE MONTH

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 290, which was submitted earlier today by Senator Smith of New Hampshire.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 290) expressing the sense of the Senate regarding the designation of June 24, 2002, through July 24, 2002, as French Heritage Month (Le Mois De L'Héritage Francais).

In no being objection, the Senate proceeded to consider the resolution.

Mr. SMITH of New Hampshire, today is June 24, St. Jean Baptiste Day, or St. John the Baptist Day, a day of recognition and remembrance.

Today also is the first day of “French Heritage Month” in many States. This month also encompasses Bastille Day.

I believe that we should also recognize the contributions of French Americans at the national level. This resolution will do just that.

Many of my constituents in New Hampshire are of French descent. New Hampshire also, along with many other States, shares a border with Quebec. Our French-Canadian partners have been great allies and partners in trade. Millions of Americans trace their ancestry to France, Quebec, Acadia or other French-speaking parts of the world.

Many of my fellow Granite Staters are proud of their French heritage, as well they should, because the French heritage brings with it the virtues of liberty and freedom; virtues that helped us win our war for independence.

King Louis XVI, the Marquis De Lafayette, and other brave Frenchmen made immeasurable contributions in our war for independence.

After we won our independence, Alexis De Toqueville fell in love with our young country, and his writings on our fledgling democracy are still read by American students today.

French Maj. Charles Pierre L'Enfant helped design the city plan of our Nation's Capital.
The Statue of Liberty was presented as a gift from France to the people of New York. Our shared virtues also helped us win two of the greatest wars against totalitarianism that this world has ever seen.

Over the years, the Franco-American people have given us many culinary delights, artistic pleasures, and a unique devotion to liberty and citizenship without which our Nation would not be the same.

Our Franco-American community has enriched our common culture, and many Franco-Americans are productive members of our society.

Franco-Americans bring a unique perspective and contribute to the diversity of our country, and they should be recognized as such.

I urge my colleagues to support this legislation.

Mr. REID. Madam President, I ask unanimous consent that the resolution and preamble be agreed to; that the motion to reconsider be laid upon the table; and that any statements regarding this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 290) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 290

Whereas millions of Americans trace their ancestry to France, Quebec, Acadia, or other French speaking parts of the world;

Whereas the United States shares a common border with Canada, a country with which we have also shared a long history of cordial relations and prosperous trade;

Whereas brave French settlers helped establish New France in the 16th century;

Whereas King Louis XVI, the Marquis De LaFayette, and other brave Frenchmen made immeasurable contributions in our War for Independence;

Whereas Alexis de Tocqueville’s classic book “Democracy in America” has taught and inspired generations of American students;

Whereas French Major Charles Pierre L’Enfant helped design the city plan of the capital of this Nation;

Whereas the people of the United States share with the French people a common love for liberty;

Whereas the Statue of Liberty was presented as a gift from France to the people of New York, and was created by sculptor Frederic-Auguste Bartholdi;

Whereas the United States and France have fought together against Nazism, Fascism, Communism, and Imperialism;

Whereas the pride and work ethic of the Franco-American community has contributed greatly to the prosperity and culture of this Nation: Now, therefore, be it

Resolved, that it is the sense of the Senate that—

(1) June 24, 2002 through July 24, 2002, encompassing the celebration of La Fete St. Jean Baptiste and the commemoration of Bastille Day, be designated as French Heritage Month (Le Mois De L’Heritage Francais); and

(2) appropriate observances should be held during this period throughout the country by public and private groups and institutions.

ORDERS FOR TUESDAY, JUNE 25, 2002

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., on Tuesday, June 25; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that the Senate be in a period for morning business until 10:30 a.m., with Senators permitted to speak for up to 10 minutes each, with the time under the control of the majority leader or his designee; that at 10:30 a.m., the Senate resume consideration of the Department of Defense authorization bill; further, that the Senate recess from 12:30 to 2:15 p.m. for the weekly party conferences.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:08 p.m., adjourned until Tuesday, June 25, 2002, at 10 a.m.
ACKNOWLEDGE THE IMPORTANT WORK THAT IS PERFORMED BY OUR YOUTH.

Mr. Speaker, I rise to recognize the outstanding accomplishments of a remarkable young man in my district. Mr. David Carnevale of Cranston, RI, has earned The Congressional Award Gold Medal. As you and my colleagues know, The Congressional Award Gold Medal is awarded to young people who have demonstrated a significant commitment to improving their own lives as well as the lives of others, and is a highly regarded achievement.

To fulfill the committee service and personal development requirements of the award, David, 18, volunteered with the Boy Scouts of America as both a Senior Patrol Leader and Junior Assistant ScoutMaster. For personal development, David developed his leadership skills at the American Baptist Churches' Youth Leader Core program and designed a soil and water conservation project for the American Baptist Camp. As a member of the Ranger Challenge team at the New Mexico Military Institute, David followed a rigorous military conditioning program consisting of various grueling physical challenges, including a 10-kilometer road march with full pack and equipment. During his expedition to the Western Caribbean islands of Cozumel, Haiti, Jamaica, and Grand Cayman, David performed a wide array of physical challenges, such as scaling a waterfall in Dunn's River.

Mr. Speaker, colleagues, I am proud to represent this exceptional young man in Congress. His pursuit of challenges and commitment to himself and others is a lesson to us all. I congratulate him on earning The Congressional Award Gold Medal, and wish him the best of luck in all of his future endeavors.

PERSONAL EXPLANATION

HON. JOHN L. MICA
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 2002

Mr. MICA. Mr. Speaker, I was unavoidable detained and could not vote on Roll Calls #247 and #248. Had I been present, I would have voted "No" on Roll Call #247 and "Yes" on Roll Call #248.

TRIBUTE TO GAMMA PHI BETA

HON. JENNIFER DUNN
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 2002

Ms. DUNN. Mr. Speaker, I am pleased to acknowledge the important work that is performed by our nation's oldest sorority, Gamma Phi Beta, as it celebrates 128 years of service. It was my pleasure to serve in this leadership institution that prepares young women for service to the community. The Gamma Phi Beta mission is simple, yet effective: "To foster a nurturing environment that provides women the opportunity to achieve their potential through life-long commitment to intellectual growth, individual worth and service to humanity." My involvement with this sorority provided all three of these objectives and I was lucky to have such a valuable experience.

When Gamma Phi Beta was founded in 1874, very few women were attending the handful of our nation's universities that would accept them. Four bold women at Syracuse University in New York formed the first Greek organization for women, which now boasts a membership of over 120,000 women worldwide. In fact, the term "sorority" was coined in reference to this chapter. Gamma Phi Beta is known as one of the ten oldest women's organizations in America. Gamma Phi Beta has been a vital force in lifting women from roles of subservience in our nation's educational system to positions of leadership. Their commitment to helping young women strive for excellence in all aspects of life has helped generations of American women reach their full potential.

I am proud to be a lifelong member of such an important group of women and I congratulate all members of Gamma Phi Beta as they host their 2002 biennial convention, "History in the Making." in Washington, D.C. I commend the work of Gamma Phi Beta for celebrating the role of women worldwide and I wish them the best of luck as the organization continues to promote community service, leadership and self-reliance for all women.

NATIONAL HISTORY DAY CONTEST

HON. IKE SKELTON
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 2002

Mr. SKELTON. Mr. Speaker, let me take this means to congratulate and pay tribute to Brian Hawkins of Harrisonville, MO, who recently received a bronze medal in the National History Day contest. This young man has distinguished himself, his family, and his community with the hard work put forward in his interests in piano and history.

The National History Day contest is the nation's oldest and most highly regarded humanities contest for students in grades 6–12. This national academic challenge engages more than 700,000 students annually. Brian's hard work and dedication to history and the piano earned him the bronze medal in the Junior Individual Documentary. His documentary was titled James Scott, Ragtime Composer: A Revolution in Music.

Mr. Speaker, Brian Hawkins has shown what a motivated young person can do when he puts his mind to it. This country will need that kind of tenacity in the future. I have no doubt that he will make us all proud. I am certain that my colleagues will join me in wishing him and his family all the best.

HONORING THE 100TH ANNIVERSARY CELEBRATION OF CLIFTON, VIRGINIA, JULY 4TH, 2002

HON. TOM DAVIS
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 2002

Mr. DAVIS of Virginia. Mr. Speaker, I would like to take this opportunity to honor the 100th anniversary of the incorporation of the Town of Clifton, Virginia.

Clifton, located in southwest Fairfax County, Virginia, is a premier residential area, boasting approximately 6.7 square miles of pristine land. Still, the arrangement of the town welcomes close-knit, friendly interaction. The cohesive community of Clifton rallies to celebrate festivals, such as the ever-popular "Clifton Days," held annually in October. Today, the town of Clifton celebrates another annual tradition, the anniversary of their town charter.

During the 1700’s, Clifton was home to various Native American groups, who used the area as their hunting grounds. Resulting from the Civil War, and with the laying of Virginia railroads, Clifton began evolving into an industrial town. In 1869, the first post office was established and the town became increasingly attractive for businesses. Thirty years later, on March 10, 1902, the Virginia General Assembly recognized the contribution of the Clifton Station community by bestowing the area with a town charter.

The incorporation of the town of Clifton led to many notable undertakings. In 1871, Clifton welcomed Fairfax County’s first black Baptist Church, and is home to a host of other Fairfax “firsts” as well. For example, in 1905 Clifton became the county’s first municipality with electricity, and home to its first high school in 1909. The town of Clifton prides itself on having been home to several famous residents, such as Susan Riviere Hetzel, an original founder of the Daughters of the American Revolution; and Oscar Woody, the Postal Clerk of the White Star cruise-liner Titanic.

Seeing its greatest growth between 1890 and 1920, Clifton has maintained its renowned late 19th-century architecture, even as Clifton Station was removed in 1958. In 1984, Clifton was declared a National Historic District by the U.S. Department of Interior. The town’s Victorian homes and historic town park complement the spirit of its residents. In few other towns is the historic, collective charm of the area as prevalent as it is in Clifton. Thus, Clifton is often recognized as a “hidden treasure.” I am proud the town of Clifton is located in Virginia's 11th district, as Clifton represents the finest area and our nation have to offer.
Mr. Speaker, in closing, with all the historical grandeur Clifton boasts, we have great reason to celebrate today. Accordingly, I extend my warmest congratulations on its 100th Anniversary. Clifton most certainly has distinguished itself through its historical and social presence, and I call upon my colleagues to join me in applauding 100 years of excellence.

A PROCLAMATION RECOGNIZING THEODORE JOSEPH BERARDINELLI

HON. ROBERT W. NEY
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 2002

Mr. NEY. Mr. Speaker, Whereas, Theodore Berardinelli has devoted himself to serving others through his membership in the Boy Scouts of America Troop 141; and Whereas, Theodore Berardinelli has demonstrated a commitment to meet challenges with enthusiasm, confidence and outstanding service; and Whereas, Theodore Berardinelli must be commended for the hard work and dedication he put forth in earning the Eagle Scout Award; Therefore, I join with the entire 18th Congressional District of Ohio in congratulating Theodore Berardinelli for his Eagle Scout Award.

THANKING REVEREND DONALD C. NOLDER

HON. BILL HUSTLER
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 2002

Mr. HUSTLER. Mr. Speaker, I rise today to thank Reverend Donald C. Nolder for his contributions to the community and congratulate him for receiving commendation from the Mayor and Town Council of the Borough of Chambersburg for his dedication and service to the community. Reverend Nolder was born in Altoona, Pennsylvania and after graduating from Lycoming College, he attended the seminary at Drew University. Once he completed his education, he was ordained as a minister in the United Methodist Church. Reverend Nolder was appointed the pastor at the First United Methodist Church in Chambersburg, Pennsylvania in July of 1992. Almost ten years later, he continues to serve his congregation and community faithfully and diligently.

Like so many spiritual leaders in communities around the country, Reverend Nolder has known the value of Faith-Based Community Action Programs long before they became a topic of national debate. President George W. Bush is also a great supporter of faith-based programs and has praised their effectiveness because he knows how beneficial they can be to people in all regions of the country. In his own community, Reverend Nolder has been instrumental in establishing programs that make a marked improvement in the lives of community residents and provide an atmosphere that allows for their spiritual and personal growth. Some examples of these programs are: Summer Neighborhood Ministry for Children, English as a Second Language program, Thursday Evening Community Supper and Service, and a Support Group for Young Men with Addictive Behavior.

I believe it is important that we allow the faith-based institutions in this country to become more involved in helping heal our communities from the damage caused by drugs, violence, and poor itself. Help should not only be available to the congregation, but the entire community, regardless of religious, cultural, or other differences. Reverend Nolder is an excellent example of doing just that—after a tragic fire he welcomed the St. Paul’s United Methodist Church into his own, and for the past seven years he opened his doors to a Hispanic congregation. He welcomed both congregations with open arms and provided whatever help the church could. By ignoring cultural or religious lines of division, he reflected the access to help to the community that he did in his immediate congregation and welcomed the addition of new friends.

I would like to commend Reverend Donald C. Nolder again for his contributions, congratulating him on his successful programs, and thank him for his service at the First United Methodist Church in Chambersburg. I hope that he enjoys his retirement and I encourage him to continue his involvement in community activities.

TRIBUTE TO HARRY COLMERY BY MICHAEL J. BENNETT

HON. CHRISTOPHER H. SMITH
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 2002

Mr. SMITH of New Jersey. Mr. Speaker, last week I participated in a ceremony commemorating the 60th anniversary of the original GI Bill, and its principal author Mr. Harry Colmery of the American Legion. First enacted in 1944, the GI Bill has helped over 20 million Americans reach their educational goals, and in the process helped transform our Nation.

When Dreams Came True: The GI Bill and the Making of Modern America, by Michael J. Bennett, the author of the book, “When Dreams Came True: The GI Bill and the Making of Modern America,” spoke at that ceremony and I want to commend his remarks to all of my colleagues.

Mr. Dooley, my favorite political philosopher, had this to say about Americans: “We’re a great people we are, and the greatest thing about us is that we know we are.” I wonder about that. We are a great people who know we are, but I’m not sure we know why we are. We are a democratic people, citizens of the world’s first truly democratic republic. And we are a practical, sensible people; indeed, our national philosophy is often called pragmatism. Yet, all too often, we seem to believe we are great because our Presidents are great, elected leaders whose wisdom is检验 only by their power, and we are practical and sensible because we study their words and follow their example.

If you believe that, you’re in the wrong place today. Franklin Delano Roosevelt preferred an Economic Bill of Rights for everyone in return for everyone, women as well as men, being afforded equal opportunity. America got the GI Bill of Rights instead because of the man we’re belatedly honoring today. And that is the best proof we have that democracy is the best form of government in the world. By 1960. Without the prosperity—and social peace—engendered by the GI Bill, America couldn’t have afforded the Marshall Plan’s $12.5 billion. Indeed, the GI Bill, rooted in eternal verities of individual aspiration and political reality, is a far better model for international development than the Marshall Plan.

The authors of the GI Bill were World War I veterans who kept faith with their children, who gave them the best chance possible the peaceful end in 1989 of the 20th century World War that began in 1914. Now, nine
I urge my colleagues to support this measure today so that our universities and scientific institutions will be able to build upon their successes with the Sea Grant program.

HONORING THE FIGHTING 105TH INFANTRY REGIMENT

HON. JOHN E. SWEENEY OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 2002

Mr. SWEENEY. Mr. Speaker, I rise today to honor the forgotten heroes of the fighting 105th Infantry Regiment—part of the New York National Guard’s 27th Division—activated for duty in October of 1940. These brave soldiers embraced their Nation’s call to arms wholeheartedly and without hesitation. On the field of battle, they fought with the fire of freedom in their souls and the fury of the American spirit in their hearts.

On July 7, 1944 an overwhelming force estimated between 3,000 and 5,000 Japanese soldiers strong attacked the First and Second Battalions of the 105th Infantry Regiment, 27th Infantry Division. It was one of the largest attacks attempted in the Pacific Theater during World War II. As the firestorm raged down upon them, the gallant “Appleknockers” of the 105th met the challenge of their foes with unparalleled vigor and tenacity. With gallant fervor, might and determination, the 105th fought on against the enemy. As terror reigned, the red-gray storm over the land swarmed onward—breaking through the combined perimeter of the Battalion, inflicting massive casualties on the young troops. Yet, in brotherhood and blood, the fighting 105th pressed on. Inspired with the strength of democracy and infused with the iron will of America, the Appleknockers did not surrender. As the fighting 105th fought on and their foes fell before them, our freedoms were preserved and our way of life assured.

The Congressional Medal of Honor was awarded posthumously to three of the men in the 105th—Lt./Col. William O’Brien, Sgt. Thomas Baker and Captain (Dr.) Ben L. Salomon DDS. There are many other courageous men that also fought gallantly for our country in the July 7, 1944 attack. At least seven unsung survivors of this most difficult day presently live in and around the Troy, New York area and are active members of the distinguished Tibbits Cadets. Among these distinguished veterans are Mr. Joseph Meighan, Mr. Samuel DiNova, Mr. Joseph Mariano, Mr. Frank Pustare, Mr. Adam Weasack, Mr. Nick Grinoldo and Mr. Ralph Colangiome.

The brave soldiers of the gallant Appleknockers of the 105th have served their country and their fellow man with integrity and valor. In a nation of affluence and prosperity for the world, the men of the First and Second Battalions met the fact of fear and fought with honor. As the “Appleknockers” remember the 58th Anniversary of the July 7, 1944 attack, may we pause a moment to honor all those that fought in that harrowing battle. To the fighting men of the 105th, I respectfully extend my most heartfelt gratitude and respect—they fought as soldiers, lived as patriots and are forever heroes.

PERSONAL EXPLANATION

HON. ROBERT MENENDEZ OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 2002

Mr. MENENDEZ. Mr. Speaker, on rollcall No. 247, had I been present, I would have voted “yes.” On rollcall No. 248, had I been present, I would have voted “no.”

RECOGNIZING THE ACCOMPLISHMENTS OF THE LEAGUE OF WOMEN VOTERS OF EAST SAN GABRIEL VALLEY

HON. HILDA L. SOLIS OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 2002

Ms. SOLIS. Mr. Speaker, I rise today to recognize the League of Women Voters of East San Gabriel Valley for its dedication to increase participation in the democratic processes of government.

Founded in 1956 as the Provisional League of Women Voters of West Covina, the organization was officially recognized by the National League of Women Voters in 1958. When the group’s name changed to the League of Women Voters of East San Gabriel Valley in 1969, the chapter was the second largest in the state of California. Today the group serves communities in more than 20 cities in Southern California.

The League provides a host of services to fulfill its fundamental mission of providing non-partisan information to citizens that will encourage them to participate in all levels of government and to influence public policy through education and advocacy. Citizens in my district have benefited from activities such as a year-round voter information service, candidate forums during election season, summertime programs about Los Angeles County ballot measures, explanations of new voting devices and voter registration drives.

I am proud to have this commendable public service organization in my district. Their efforts to educate our community about the importance of voting and political participation are helping to produce a well-informed electorate that fights for the issues that are important to working men and women.

LOS ANGELES TIMES ARTICLE

HON. RON PAUL OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 2002

Mr. PAUL. Mr. Speaker, I call my colleagues’ attention to a recent article by Scott Ritter, former chief UN weapons inspector in Iraq, published in the Los Angeles Times. In this article, Mr. Ritter makes a salient point that deserves careful and serious consideration in this body: how will it be possible to achieve the stated Administration goal of getting weapons inspectors back into Iraq when the Administration has made it known that it intends to assassinate the Iraqi leader?

If nothing else, Saddam Hussein has proven himself a survivor. Does anyone believe that
he will allow inspectors back into his country knowing that any one of them might kill him? Is it the intention of the Administration to get inspectors back into Iraq and thus answers to lingering and critical questions regarding Iraq’s military capabilities, or is the intent to invade that country regardless of the need for transparency or effective inspections? Or actually make it impossible for Saddam Hussein to accept the inspectors.

Mr. Ritter, who as former chief UN inspector in Iraq probably knows that country better than any of us here, made some excellent points in a recent meeting with Republican members of Congress. According to Mr. Ritter, no American-installed regime could survive in Iraq. Interestingly, Mr. Ritter noted that though his rule is no doubt despotic, Saddam Hussein has been harsher toward Islamic fundamentalism than any other Arab regime. He added that any U.S. invasion to remove Saddam from power would likely open the door to an anti-American fundamentalist Islamic regime in Iraq. That can hardly be viewed in a positive light here in the United States. Is a policy that replaces a tyrant with a worse regime the wisest course to follow?

Much is made of Iraqi National Congress leader Ahmed Chalabi, as a potential post-invasion leader of Iraq. Mr. Ritter told me that in his many dealings with Chalabi, he found him to be completely unreliable and untrustworthy. He added that neither he nor the approximately 100 Iraqi generals that the US is counting have any credibility inside Iraq, and any attempt to place them in power would be rejected in the strongest manner by the Iraqi people. Hundreds, if not thousands, of American military and intelligence personnel were killed in the fight to occupy Iraq indefinitely if any American-installed regime is to remain in power. Again, it appears we are creating a larger problem than we are attempting to solve.

Similarly, proponents of a US invasion of Iraq often cite the Kurds in the northern part of that country as a Northern Alliance-like ally, who will do much of our fighting on the ground and unseat Saddam. But just last week the Washington Times reported that neither of the two rival Kurdish groups in northern Iraq want anything to do with an invasion of Iraq.

In the meeting last month, Scott Ritter reminded members of Congress that a nation cannot go to war based on assumptions and guesses, that a lack of knowledge is no basis to go to war based on assumptions and guesses, that a lack of knowledge is no basis to war against Iraq. The one roadblock to an all-out U.S. assault would be weapons inspectors reporting on the facts inside Iraq. Yet without any meaningful discussion and debate by Congress concerning the nature of the threat posed by Baghdad, war seems all but inevitable.

The true target of the supposed CIA plan may be Saddam Hussein but rather the weapons inspection program itself. The real casualty is the last chance to avoid bloody conflict.

TRIBUTE TO GEOFF MALEMAN

HON. JANE HARMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 2002
Ms. HARMAN. Mr. Speaker, I rise today to commend the achievements of my friend and constituent Geoff Maleman, of Westchester, California.

As the President of the Westchester/LAX/Marina del Rey Chamber of Commerce, Geoff is a tireless leader in the business and greater community.

Following the tragic events of September 11th, Geoff spearheaded an effort with other local Chambers of Commerce to develop a task force to address challenges facing the business community. The travel industry surrounding Los Angeles International Airport (LAX) is beginning to recover, in no small part, due to Geoff’s leadership.

Geoff is a great communicator. We have co-hosted numerous forums together in my Congressional District. Last October, Geoff and I spoke to hundreds of residents and business owners about security at Los Angeles International Airport, an issue of great concern to the neighboring communities. Geoff was both informative and reassuring in addressing the challenging and frightening issue.

Most importantly, Geoff and his wife Nicole are proud new parents of a beautiful baby girl, Kaitlyn Michelle Maleman—born during his term as President, on December 6, 2001.

Mr. Speaker, as Geoff’s tenure as President of the Westchester/LAX/Marina del Rey Chamber of Commerce comes to an end, I appreciate this opportunity to share how proud and fortunate I am to have Geoff Maleman in my Congressional District.

ON HILLSBORO, OREGON’S RECEIPT OF THE INTERNATIONAL ASSOCIATION FOR PUBLIC PARTICIPATION’S CORE VALUES PROJECT OF THE YEAR AWARD

HON. DAVID WU
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 2002
Mr. WU. Mr. Speaker, I am pleased to rise today to honor Hillsboro, Oregon for its receipt of the International Association for Public Participation’s Core Values Project of the Year Award for its Hillsboro 2020 Vision Project.

During the past 20 years, Hillsboro has experienced significant residential and economic growth. The community has become economically self-sufficient with a strong and diverse industrial base, and vital retail areas. It has grown geographically to more than double its

[From the Los Angeles Times, June 19, 2002] BEHIND “PLOT” ON HUSSEIN, A SECRET AGENDA

(By Scott Ritter)

President Bush has reportedly authorized the CIA to use all of the means at its disposal—including U.S. military special operations units and CIA paramilitary teams—against Saddam Hussein to eliminate Iraq’s Saddam Hussein. According to reports, the CIA is to view any such plan as “preparatory” for a larger military strike.

Congressional leaders from both parties have greeted these reports with enthusiasm. In their rush to approve the president’s hard-line stance on Iraq, however, almost no one in Congress has questioned why such secret plans would be made public, thus undermining the very mission it was intended to accomplish. It is high time that Congress start questioning the hype and rhetoric emanating from the White House regarding Baghdad, because the leaked CIA plan is well timed to undermine the efforts underway in the United Nations to secure weapons inspectors back to work in Iraq. In early July, the U.N. secretary-general will meet with Iraq’s foreign minister for a third round of talks on the return of the weapons inspectors. A major sticking point is Iraqi concern over the use—or abuse—of such inspections by the U.S. for intelligence collection.

I recall during my time as a chief inspector in Iraq the dozens of extremely fit “military experts” and “logistics specialists” who freeloched into Hussein, hooded others. Drawn from U.S. units such as Delta Force or from CIA paramilitary teams such as the Special Activities Staff (both of which have a long history of working in Afghanistan and elsewhere), these specialists had a legitimate part to play in the difficult cat-and-mouse effort to disarm Iraq. So did the teams of British and other intelligence specialists I ran in Iraq from 1996 to 1998—which listened in on the conversations of Hussein’s inner circle—and the various other intelligence specialists who were part of the inspection effort.

The presence of such personnel on inspection teams was, and is, viewed by the Iraqi government as an unacceptable risk to its nation’s security.

As early as 1992, the Iraqis viewed the teams I led inside Iraq as a threat to the safety of their families, in part because they were concerned that my inspections were nothing more than a front for a larger effort to eliminate their leader.

Those concerns were largely baseless while I was in Iraq. Now that Bush has specifically authorized American covert-operations teams to return to Iraq, let us hope the Iraqis will never trust an inspection regime that has already shown itself susceptible to infiltration and manipulation by intelligence specialists hostile to the mission of any assurance the U.N. secretary-general might give.

The leaked CIA covert operations plan effectively kills any chance of inspectors returning to Iraq, and it closes the door on the last opportunity for shedding light on the true state of affairs regarding any threat in the form of Iraqi weapons of mass destruction.

Absent any return of weapons inspectors, no one seems willing to challenge the Bush administration’s assertions of an Iraqi threat. If Bush has a factual case against Iraq concerning weapons of mass destruction, he hasn’t made it yet.

Can the Bush administration substantiate any of its claims that Iraq continues to pursue efforts to reacquire its capability to produce chemical and biological weapons, which was dismantled and destroyed by U.N. weapons inspectors from 1991 to 1998? The same question applies to nuclear weapons.

What facts substantiate the pursuit of nuclear weapons aspirations? Bush spoke ominously of an Iraqi ballistic missile threat today. What missile threat is the president talking about? These questions are valid, and if the case for war is to be made, they must be answered with more than rhetoric.

Congress has seemed unwilling to challenge the Bush administration’s pursuit of
physical size and has started to take in uninorporated neighborhoods and commercial areas to the east. A consequence of this growth and change in community character has been an emerging need to redefine the City’s identity and help set a course for the future that reflects the values of its citizens. Recognizing this challenge, the City of Hillsboro conducted an extensive public discussion to develop a vision and action plan for the next 20 years.

This community-wide effort, the Hillsboro 2020 Vision Project, was conducted over three years (1997–2000) and involved hundreds of citizens and dozens of community interests including business, environment, neighborhoods, social services, healthcare, education, government, and many others. The product of this endeavor was a Vision Statement, describing Hillsboro in 2020, and an Action Plan identifying the programs and projects necessary to achieve that vision.

The project involved an extensive public participation program including a citizen task force that advised the City on the project and developed the recommended Vision and Action Plan. In addition, the general public and various interest groups were engaged through a broad range of outreach activities such as public workshops and forums, newsletters, presentations to community groups, and focus groups. Over 1500 citizens participated in the Vision planning process.

The Action Plan lists 114 actions and 46 strategies to bring the Vision to life. The plan outlines opportunities to enhance community identity, connections, and livability—ranging from such projects as a historic downtown district with a public square to an expanded system of pedestrian and bike paths and many others. During the plan’s development, 18 community partners agreed to take the lead on one or more of the actions. Many of these actions will require the formation of public-private partnerships. Implementation of the Hillsboro 2020 Vision implementation will be a community-wide effort.

A 21-member citizen-led committee, appointed by the City Council, will monitor and facilitate the Vision’s implementation, assuring that the Vision will transition from a plan, to a reality.

I commend the City of Hillsboro for its vision and hard work to ensure that Hillsboro remains a wonderful place to live and work. Congratulations on your receipt of this prestigious award!

CELEBRATING THE 75th JUBILEE
OF THE CARMELITE SISTERS
OF THE MOST SACRED HEART OF LOS ANGELES

HON. HILDA L. SOLIS
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 2002

Ms. SOLIS. Mr. Speaker, I rise today to celebrate and congratulate the Carmelites Sisters of the Most Sacred Heart of Los Angeles on their 75th Jubilee.

Founded in Mexico in 1921 by Mother Luisa Joseta of the Most Blessed Sacrament, the Carmelites Sisters arrived in Los Angeles in 1927. Their mission since inception has been to devote their lives to works of charity, specifically in the fields of health care, education, child care, and retreat work.

In its 75 years, the Carmelites Sisters have provided numerous services to the Los Angeles community, especially residents of the 31st Congressional District. The Carmelites Sisters are responsible for the vitality of critical institutions such as Santa Teresita Hospital, five parochial schools and two high schools, as well as a child care facility and a retreat house. These institutions provide services that are essential to my district where adequate access to health care, education, and child care is a major concern.

Once again, I congratulate and commend the Carmelites Sisters of the Most Sacred Heart of Los Angeles on their 75th Jubilee, and for serving the health, educational, and child-care needs of the residents of the San Gabriel Valley.

PAYING TRIBUTE TO JOANN FALK

HON. SCOTT McINNIS
OF COLORADO

IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 2002

Mr. McINNIS. Mr. Speaker, it is with a profound sense of appreciation and pride that I bring to your attention the good works of JoAnn Falk of Pueblo, Colorado: the devotion she has shown to the students and educators of Pueblo District 70 has proven her to be a shining example of the power of education in the lives of our nation’s youth. JoAnn was recently awarded the National Education Association’s ‘Education Support Professional (ESP) of the Year Award,’ itself a moving tribute to the value of her nearly thirty years of work for public education in my state.

JoAnn has dedicated her life to causes greater than her own self-interest. As an educator, she has fought for the rights and respect her fellow education support professionals deserve. JoAnn has worked hard to recruit school board candidates responsive to the needs of classified employees and continuously held the needs of her students as her top priority. She has been persistent in these undertakings, never allowing the word ‘no’ to stop her from striving for what she knows in her heart is right.

JoAnn Falk is, herself, a tribute to the many hardworking education support professionals throughout our nation. Over her many years of work in Pueblo District 70, JoAnn has demonstrated a commitment to the development of school programs and the role of ESP employees. Among her accomplishments is the establishment of an innovative new substitute teacher program as well as her creation of the first Elementary School Media Center in all of Pueblo.

Mr. Speaker, it is with a grateful heart that I rise to pay tribute to the work done by JoAnn Falk on behalf of the children and educators of Pueblo District 70. Her career in education is a testament to the values, sacrifice and commitment that make Colorado, and America, great. She richly deserves the recognition she has recently received from the National Education Association. I am proud to convey to JoAnn the respect and praise of this body of Congress.
SENATE COMMITTEE MEETINGS
Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 25, 2002 may be found in the Daily Digest of today’s RECORD.

MEETINGS SCHEDULED

JUNE 26
9:30 a.m.
Commerce, Science, and Transportation
Consumer Affairs, Foreign Commerce, and Tourism Subcommittee
To hold hearings to examine issues and perspectives in enforcing corporate governance, focusing on the experience of the state of New York.
SR–253

Governmental Affairs
To hold hearings to examine the relationship between a Department of Homeland Security and the intelligence community.
SD–342

Health, Education, Labor, and Pensions
Business meeting to consider S. 2059, to amend the Public Health Service Act to provide for Alzheimer’s disease research and demonstration grants; and proposed legislation concerning global AIDs.
SD–430

Judiciary
To hold hearings to examine the President’s proposal for reorganizing our homeland defense infrastructure.
SD–106

10 a.m.
Banking, Housing, and Urban Affairs
Housing and Transportation Subcommittee
To hold hearings to examine the Transportation Equity Act for the 21st Century, focusing on investing in economy and environment.
SD–538

Finance
Business meeting to markup H.R. 4737, to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care.
SD–215

10:30 a.m.
Foreign Relations
To hold hearings to examine the current situation in Afghanistan.
SD–419

2 p.m.
Judiciary
Immigration Subcommittee
To hold hearings to examine immigration reform and the reorganization of homeland defense.
SD–226

2:30 p.m.
Foreign Relations
To hold hearings on the nomination of Mark Sullivan, of Maryland, to be United States Director of the Asian Development Bank for Reconstruction and Development; and the nomination of Paul William Speltz, of Texas, to be United States Director of the Asian Development Bank, with the rank of Ambassador.
SD–419

3 p.m.
Governmental Affairs
To hold hearings on the nomination of James E. Boasberg, to be an Associate Judge of the Superior Court of the District of Columbia.
SD–342

JUNE 27
9:30 a.m.
Environment and Public Works
Business meeting to consider pending calendar business.
SD–406

Appropriations
Transportation Subcommittee
Commerce, Science, and Transportation
To hold joint hearings to examine cross border trucking issues.
SR–253

Conferees
Meeting of conferees on H.R. 4, to enhance energy conservation, research and development and to provide for security and diversity in the energy supply for the American people.

2123, Rayburn Building

10 a.m.
Banking, Housing, and Urban Affairs
To hold oversight hearings to examine the preliminary findings of the Commission on Affordable Housing and Health Facility Need for Seniors in the 21st Century.
SD–538

Finance
To hold hearings on the nomination of Charlotte A. Lane, of West Virginia, to be a Member of the United States International Trade Commission.
SD–215

Judiciary
Business meeting to consider pending calendar business.
SD–226

1 p.m.
Governmental Affairs
To continue hearings to examine the relationship between a Department of Homeland Security and the intelligence community.
SD–406

2 p.m.
Judiciary
To hold hearings on pending judicial nominations.
SD–226

2:30 p.m.
Foreign Relations
Central Asia and South Caucasus Subcommittee
To hold hearings to examine the balancing of military assistance and support for human rights in central Asia.
SD–419

Health, Education, Labor, and Pensions
To hold hearings to examine the Title IX of the Education Amendments Act of 1972, focusing on 30 years of progress.
SD–430

JUNE 28
9:30 a.m.
Health, Education, Labor, and Pensions
Children and Families Subcommittee
To hold hearings on S. 2246, to improve access to printed instructional materials used by blind or other persons with print disabilities in elementary and secondary schools.
SD–430

Governmental Affairs
To hold hearings to examine how the proposed Department of Homeland Security should address weapons of mass destruction, and relevant science and technology, research and development, and public health issues.
SD–342

JULY 10
9:30 a.m.
Veterans’ Affairs
To hold hearings to examine the continuing challenges of care and compensation due to military exposures.
SR–418

JULY 11
10 a.m.
Energy and Natural Resources
To hold hearings to examine the Department of Energy’s Environmental Management program, focusing on DOE’s progress in implementing its accelerated cleanup initiative, and the changes DOE has proposed to the EM science and technology program.
SD–366

POSTPONEMENTS

JUNE 26
10 a.m.
Environment and Public Works
To hold hearings to examine the President’s proposal to establish the Department of Homeland Security.
SD–406
Highlights

House Committee ordered reported the Defense and Military Construction appropriations for fiscal year 2003.

Senate

Chamber Action

Rutine Proceedings, pages S5919–S5967

Measures Introduced: Four bills and two resolutions were introduced, as follows: S. 2669–2672, and S. Res. 289–290.

Measures Reported:

S. 214, to elevate the position of Director of the Indian Health Service within the Department of Health and Human Services to Assistant Secretary for Indian Health. (S. Rept. No. 107–170)

S. 1768, to authorize the Secretary of the Interior to implement the Calfed Bay-Delta Program, with an amendment in the nature of a substitute. (S. Rept. No. 107–171)


H.R. 309, to provide for the determination of withholding tax rates under the Guam income tax. (S. Rept. No. 107–173)

S. 803, to enhance the management and promotion of electronic Government services and processes by establishing a Federal Chief Information Officer within the Office of Management and Budget, and by establishing a broad framework of measures that require using Internet-based information technology to enhance citizen access to Government information and services, with an amendment in the nature of a substitute. (S. Rept. No. 107–174)

S. 2452, to establish the Department of National Homeland Security and the National Office for Combating Terrorism, with amendments. (S. Rept. No. 107–175)

Measures Passed:

French Heritage Month: Senate agreed to S. Res. 290, expressing the sense of the Senate regarding the designation of June 24, 2002 through July 24, 2002 as French Heritage Month (Le Mois De L'Héritage Français).

National Defense Authorization Act: Senate continued consideration of S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto:

Adopted:

By a unanimous vote of 93 yeas (Vote No. 161), Smith (NH) Amendment No. 3969, to impose certain prohibitions and requirements relating to the wearing of abayas by members of the Armed Forces in Saudi Arabia.

Pending:

Kennedy Amendment No. 3918, to provide for equal competition in contracting.

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Tuesday, June 25, 2002.

Messages From the House:

Measures Read First Time:

Executive Communications:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:
House of Representatives

Chamber Action

Measures Introduced: 8 public bills, H.R. 5002–5009; and 3 resolutions, H. Con. Res. 424, and H. Res. 455–456 were introduced.

Reports Filed: Reports were filed as follows:
- H.R. 3786, to revise the boundary of the Glen Canyon National Recreation Area in the States of Utah and Arizona, amended (H. Rept. 107–523);
- H.R. 2982, 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, amended (H. Rept. 107–524);
- H.R. 4477, to amend title 18, United States Code, with respect to crimes involving the transportation of persons and sex tourism, amended (H. Rept. 107–525);
- H.R. 4623, to prevent trafficking in child pornography and obscenity, to proscribe pandering and solicitation relating to visual depictions of minors engaging in sex trafficking to facilitate crimes against children, amended (H. Rept. 107–526);
- H.R. 4679, to amend title 18, United States Code, to provide a maximum term of supervised release of life for child sex offenders, amended (H. Rept. 107–527); and
- H.R. 4858, to improve access to physicians in medically underserved areas (H. Rept. 107–528).

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Issa to act as Speaker pro tem for today.

Recess: The House recessed at 12:45 p.m. and reconvened at 2 p.m.

Adjournment: Senate met at 3 p.m., and adjourned at 8:08 p.m., until 10 a.m., on Tuesday, June 25, 2002. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S5967).

Committee Meetings

No committee meetings were held.

Recess: The House recessed at 2:33 p.m. and reconvened at 6:02 p.m.

Suspensions: The House agreed to suspend the rules and pass the following measures:
- Cibola National Wildlife Refuge, California Boundary Adjustment: H.R. 3957, amended, to revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California (agreed to by a yea-and-nay vote of 375 yeas with none voting “nay,” Roll No. 249);
- Glen Canyon National Recreation Area Boundary Revision: H.R. 3786, amended, to revise the boundary of the Glen Canyon National Recreation Area in the States of Utah and Arizona (agreed to by a yea-and-nay vote of 374 yeas with none voting “nay,” Roll No. 250);
- Cibola National Wildlife Refuge, California Boundary Adjustment: H.R. 3957, amended, to revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California (agreed to by a yea-and-nay vote of 375 yeas with none voting “nay,” Roll No. 249);
- Glen Canyon National Recreation Area Boundary Revision: H.R. 3786, amended, to revise the boundary of the Glen Canyon National Recreation Area in the States of Utah and Arizona (agreed to by a yea-and-nay vote of 374 yeas with none voting “nay,” Roll No. 250);

New River Gorge, National River West Virginia Boundary Adjustment: H.R. 3858, to modify the boundaries of the New River Gorge National River, West Virginia;

Investigation of Forest Service Firefighter Deaths: H.R. 3971, to provide for an independent investigation of Forest Service firefighter deaths that are caused by wildfire entrapment or burnover (agreed to by a yea-and-nay vote of 377 yeas with none voting “nay,” Roll No. 251);

Congratulating the Navy League on its Centennial: H. Con. Res. 416, congratulating the Navy League of the United States on the occasion of the centennial of the organization’s founding; and

Official Flag of the Medal of Honor: H.J. Res. 95, amended, designating an official flag of the Medal of Honor and providing for presentation of that flag to each recipient of that Medal of Honor.
(agreed to by a yea-and-nay vote of 380 yea with none voting “nay,” Roll No. 252). Agreed to amend the title 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.”

National Urban Air Toxics Research Center: The Chair announced the Speaker’s appointment of Dr. Arthur C. Vailas of Houston, Texas to the Board of Directors of the National Urban Air Toxics Research Center.

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of the House today and appear on pages H3837–38, H3838–39, and H3839. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:10 p.m.

Committee Meetings

DEFENSE AND MILITARY CONSTRUCTION APPROPRIATIONS; FISCAL YEAR 2003
REPORT ON SUBALLOCATION OF BUDGET ALLOCATIONS

Committee on Appropriations: Ordered reported the following appropriation bills for fiscal year 2003: Defense and Military Construction.

The Committee also approved the Report on Suballocation of Budget Allocations for fiscal year 2003.

COMMITTEE MEETINGS FOR TUESDAY, JUNE 25, 2002

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine the nomination of Phyllis K. Fong, of Maryland, to be Inspector General, Department of Agriculture; the nomination of Walter Lukken, of Indiana, to be a Commissioner of the Commodity Futures Trading Commission; the nomination of Douglas L. Flory, of Virginia, to be a Member of the Farm Credit Administration Board, Farm Credit Administration; and the nomination of Sharon Brown-Hruska, of Virginia, to be a Commissioner of the Commodity Futures Trading Commission for the remainder of the term expiring April 13, 2004, 10 a.m., SR–332.

Committee on Commerce, Science, and Transportation: to hold hearings on proposed legislation authorizing funds for the National Transportation Safety Board, 9:30 a.m., SR–253.

Subcommittee on Science, Technology, and Space, to hold joint hearings with the House Committee on Science to examine the role of science and technology to combat terrorism, 1 p.m., 2318 Rayburn Building.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade and Consumer Protection, hearing on the FTC’s Franchise Rule: Twenty-Three Years After Its Promulgation, 10 a.m., 2322 Rayburn.

Committee on Oversight and Investigations, hearing on Creating the Department of Homeland Security: Consideration of the Administration’s Proposal, with emphasis on chemical, biological and radiological response activities proposed for transfer to the Department of Homeland Security, 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Oversight and Investigation and the Subcommittee on Housing and Community Opportunity, joint hearing on Fighting Discrimination against the Disabled and Minorities through Fair Housing Enforcement, 2 p.m., 2128 Rayburn.

Committee on Criminal Justice, Drug Policy, and Human Resources,
hearing on De We Need an Anti-Drug Media Campaign? 10 a.m., 2247 Rayburn.

Subcommittee on National Security, Veterans Affairs and International Relations, hearing on DoD Financial Management: Following One Item Through the Maze, 10 a.m., 2154 Rayburn.

Committee on the Judiciary, Subcommittee on the Constitution, oversight hearing on the Civil Rights Division of the U.S. Department of Justice, 11 a.m., 2237 Rayburn.


Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, to mark up H.R. 1070, Great Lakes Legacy Act of 2001, 1 p.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Select Revenue Measures, hearing on Corporate Inversions, 3 p.m., 1100 Longworth.

Joint Meetings

Joint Meetings: Senate Committee on Commerce, Science, and Transportation, Subcommittee on Science, Technology, and Space, to hold joint hearings with the House Committee on Science to examine the role of science and technology to combat terrorism, 1 p.m., 2318 Rayburn Building.
Next Meeting of the SENATE
10 a.m., Tuesday, June 25, 2002

Program for Tuesday: After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will continue consideration of S. 2514, National Defense Authorization Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES
10:30 a.m., Tuesday, June 25

Program for Tuesday: Consideration of Suspensions:
(1) H.R. 4858, Improved Access to Physicians in Medically Underserved Areas;
(2) H.R. 4679, Lifetime Consequences for Sex Offenders;
(3) H.R. 4623, Child Obscenity and Pornography Prevention;
(4) H.R. 4477, Sex Tourism Prohibition;
(5) H.R. 3180, New Hampshire-Vermont Interstate School Compact Consent;
(6) H.R. 4070, Social Security Program Protection;
(7) H. Con. Res. 424, Roofing Professional’s Patriotic Contributions in the Rebuilding of the Pentagon;
(8) H.R. 3034, Frank Sinatra Post Office, Hoboken, New Jersey;
(9) H.R. 3764, 2002 Securities and Exchange Commission Authorization; and
(10) H.R. 4846, Silver Eagle Coin Continuation.

Extensions of Remarks, as inserted in this issue

HOUSE
Davis, Tom, Va., E1135
Dunn, Jennifer, Wash., E1135
Harman, Jane, Calif., E1138
Langevin, James R., R.I., E1135, E1137
McInnis, Scott, Colo., E1139
Menendez, Robert, N.J., E1137
Mica, John L., Fla., E1135
Ney, Robert W., Ohio, E1136
Paul, Ron, Tex., E1137
Shuster, Bill, Pa., E1136
Solis, Hilda L., Calif., E1137
Sweeney, John E., N.Y., E1137
Wu, David, Ore., E1138

Skelton, Ike, Mo., E1135
Smith, Christopher H., N.J., E1136
Sweeney, John J., N.Y., E1137
Smith, Christopher H., N.J., E1136
Solis, Hilda L., Calif., E1137
Sweeney, John J., N.Y., E1137
Wu, David, Ore., E1138

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