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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 24, 2002.

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

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

MESSAGE FROM THE SENATE

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

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

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

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

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

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

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

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of 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 when they bring the bill to the floor, they will allow a Democratic substitute, Medicare prescription drug bill, which is far superior and will be the only legislation I think that would accomplish the goal of making sure and guaranteeing all seniors have a decent prescription drug benefit. I would ask that the Republican leadership make sure that we be allowed as Democrats to bring up our substitute when this matter goes before the Committee on Rules this week.

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

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

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

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

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

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

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

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

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

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

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

MEDICARE PRESCRIPTION DRUG BENEFIT

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

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

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

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

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

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

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

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

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

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

RECESS

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

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

□ 1400

AFTER RECESS

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

PRAYER

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

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

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

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

THE JOURNAL

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

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

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

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

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) come forward and lead the House in the Pledge of Allegiance.

Mrs. CHRISTENSEN led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

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

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

The Clerk read as follows:

H.R. 3937

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

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

Public Land Order 3442, dated August 21, 1964, is revoked insofar as it applies to the following described lands: San Bernardino Meridian, T11S, R22E, sec. 6, all of lots 1, 16, and 17, and SE¼ of SW¼ in Imperial County, California, aggregating approximately 140.32 acres.

SEC. 2. RESURVEY AND NOTICE OF MODIFIED BOUNDARIES.

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

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

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

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

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

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

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

This legislation will revoke a small portion of the Public Land Order that originally created Cibola in 1964. While the refuge is more than 17,000 acres, there is a small component of the unit known as ''Walter's Camp.'' Based on testimony from the U.S. Fish and Wildlife Service, it is clear that a mistake was made to include this property within the refuge. In fact, about a dozen years ago, the Service constructed a fence around what they thought were the boundaries of the refuge, and Walter's Camp was excluded.

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

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

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

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

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

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

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

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

Mrs. CHRISTENSEN. Mr. Speaker, as stated by the previous speaker, my colleague, the overall purpose of the bill before the House is to resolve a 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 thoughtful, commonsense legislation that will correct an administrative error, protect the fragile wildlife habitat of the Cibola Refuge and ensure the future operation of a much-needed recreational facility in a remote area.

I urge Members to support H.R. 3937.

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

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

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

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

Mr. Dokter and his family operate Walter's Camp, a BLM concession on land near the lower Colorado River in Imperial County, California. The facility provides visitors with a 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 or the Fish and Wildlife Service knew the new Refuge contained the Camp. Refuge personnel even built a fence years ago physically excluding Walter's Camp from the Refuge. The BLM continued to renew the original permit, allowing the recreational concession use to continue unbroken until the present time. However, given this recent discovery, the BLM does not have the authority to continue issuing the concession contracts to Walter's Camp.

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

Again, Mr. Speaker, I offer my sincere 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 is on the motion offered by the gentleman from Utah (Mr. CANNON) that the House suspend the rules and pass the bill, H.R. 3937, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

GLEN CANYON NATIONAL RECREATION AREA BOUNDARY REVISION ACT OF 2002

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

The Clerk read as follows:

H.R. 3786

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Glen Canyon National Recreation Area Boundary Revision Act of 2002''.

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

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

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

(2) by adding at the end the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

We support passage of H.R. 3786.

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

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

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

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1415

NEW RIVER GORGE BOUNDARY ACT OF 2002

Mr. CANNON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3858) to modify the boundaries of the New River Gorge National River, West Virginia.

The Clerk read as follows:

H.R. 3858

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''New River Gorge Boundary Act of 2002''.

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

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

(b) LAND EXCHANGE.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The question was taken.

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

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

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

The point of no quorum is considered withdrawn.

GENERAL LEAVE

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

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

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

There was no objection.

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

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

The Clerk read as follows:

H.R. 3971

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

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

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

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

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

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

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

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

Firefighting is an inherently dangerous job, and we should do what we can to reduce the risks. I believe the main purpose for this legislation is to prevent future deaths from occurring. However, it is important to remember that the most effective way to prevent firefighter fatalities is to prevent catastrophic wildfires from occurring in the first place.

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

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

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

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

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

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

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

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

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

I think it is important, especially as we look at the fires that are raging in the West today, that we provide for an investigation of any deaths that might occur, as well as the deaths that 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, the massive wildfires burning out of control in Arizona today are on the front pages of newspapers all across America reminding people in other parts of the country of the enormous threat these dangerous fires pose to both lives and property.

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

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

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

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

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

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

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

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

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

□ 1430

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

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

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

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

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

The question was taken.

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

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

The yeas and nays were ordered.

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

GENERAL LEAVE

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

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

There was no objection.

RECESS

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

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

□ 1802

AFTER RECESS

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

NEW RIVER GORGE BOUNDARY ACT OF 2002

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

The Clerk read the title of the bill.

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

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

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

CONGRATULATING NAVY LEAGUE OF UNITED STATES ON ITS CENTENNIAL

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

The Clerk read as follows:

H. CON. RES. 416

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

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

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

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

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

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

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

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCHROCK) and the 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 Navy League of the United States for its 100 years of service to service members, their families and their communities. I recently introduced House Resolution 416 to congratulate the Navy League on its 100th anniversary, its 100th year of service to America. The Navy League of the United States was founded in 1902 with the encouragement of then-President Theodore Roosevelt.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A motion to reconsider was laid on the table.

DESIGNATING OFFICIAL FLAG OF THE MEDAL OF HONOR

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

The Clerk read as follows:

H.J. RES. 95

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

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

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

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

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

SECTION 1. DESIGNATION OF MEDAL OF HONOR FLAG.

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

''§ 903. Designation of Medal of Honor Flag

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

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

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

''903. Designation of Medal of Honor Flag.''.

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

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

''§ 3755. Medal of honor: presentation of Medal of Honor Flag

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

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

''3755. Medal of honor: presentation of Medal of Honor Flag.''.

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

''§ 6257. Medal of honor: presentation of Medal of Honor Flag

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

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

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

''6257. Medal of honor: presentation of Medal of Honor Flag.''.

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

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

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

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

''8755. Medal of honor: presentation of Medal of Honor Flag.''.

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

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

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

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

''505. Medal of honor: presentation of Medal of Honor Flag.''.

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

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

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

GENERAL LEAVE

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

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

There was no objection.

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

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

Mr. Speaker, first of all, I would like to inquire, would it be appropriate to recognize the fact that the designer of this flag, Bill Kendall, from Jefferson, Iowa, is in the gallery?

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1815

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Speaker, the standards for award of the Medal of Honor leave little doubt about the remarkable nature of the heroic acts involved. The heroic deed of the person must be proven by 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 every recipient of the Medal of Honor by creating a Medal of Honor flag to be presented to the recipients. The Medal of Honor flag will also be a symbol to all who see it of the great strength and courage that resides within the American spirit.

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

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

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

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

The question was taken.

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

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

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

Votes will be taken in the following order:

Approving the Journal, de novo;

H.R. 3937, by the yeas and nays;

H.R. 3786, by the yeas and nays;

H.R. 3971, by the yeas and nays; and

House Joint Resolution 95, by the yeas and nays.

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

THE JOURNAL

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

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

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

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

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

The Clerk read the title of the bill.

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

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

[Roll No. 249]

YEAS—375

Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Bonilla
Bono
Boozman
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Burr
Calvert
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clyburn
Coble
Collins
Combest
Cooksey
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Herger
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Inslee
Isakson
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Petri
Phelps
Pickering
Pitts
Pombo
Portman
Price (NC)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—59

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

□ 1850

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

GLEN CANYON NATIONAL RECREATION AREA BOUNDARY REVISION ACT OF 2002

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

The Clerk read the title of the bill.

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

This will be a 5-minute vote.

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

[Roll No. 250]

YEAS—374

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

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

NOT VOTING—60

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

□ 1859

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]

YEAS—377

Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Bonilla
Bono
Boozman
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Burr
Calvert
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clyburn
Coble
Collins
Combest
Cooksey
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Herger
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Inslee
Isakson
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Mica
Miller, Dan
Miller, Gary
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Price (NC)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—57

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

□ 1907

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1915

Stated for:

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

DESIGNATING OFFICIAL FLAG OF THE MEDAL OF HONOR

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

The Clerk read the title of the joint resolution.

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

This is a 5-minute vote.

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

[Roll No. 252]

YEAS—380

Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Bonilla
Bono
Boozman
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Burr
Burton
Calvert
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clyburn
Coble
Collins
Combest
Cooksey
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Herger
Hill
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Inslee
Isakson
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Price (NC)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—54

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

□ 1916

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

The result of the vote was announced as above recorded.

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

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

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

PERSONAL EXPLANATION

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

PERSONAL EXPLANATION

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

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

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

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

Dr. Arthur C. Vailas, Houston, Texas.

There was no objection.

PERSONAL EXPLANATION

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

SPECIAL ORDERS

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

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

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

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

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

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

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

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

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

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

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

TRIBUTE TO JIM TURNER

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PRESCRIPTION DRUG BENEFIT

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

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

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

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

Democrats insist that any prescription drug plan for seniors should be 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 patent abuses and enhancing competition in the prescription drug marketplace.

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

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

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

□ 1930

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

The Republican bill is not designed to ensure that seniors and disabled Americans gain access to drug coverage. It is designed to ensure that seniors and disabled Americans lose access to what they want to do, which is privatize Medicare. Unless the goal is to phase out Medicare and phase in an insurance voucher system, it makes no sense to maintain a public program for medical and surgical benefits but for seniors to purchase private coverage for prescription drug benefits. If this bill is not about privatizing Medicare, if it is actually meant to provide seniors real drug coverage, why is there a hole in the plan's coverage? Why do the benefits decline as an enrollee's drug costs go up? Insurance is supposed to protect individuals with high health care costs, not to desert them. So why this kind of Republican plan that serves the insurance interests and drug company interests but not seniors?

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

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

INTRODUCTION OF CAPITOL POLICE RETENTION AND RECRUITMENT LEGISLATION

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

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

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

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

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

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

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

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

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

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

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

I urge my colleagues to support this important measure.

PRESCRIPTION DRUG BILL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The logical question then is, why would the Republicans do that? Well, last week, as my colleague, the gentleman from New Jersey (Mr. PALLONE), saw as a member of our committee, right in the middle of the markup, right in the middle of hearing amendments and working on this legislation, the Republicans, on Wednesday evening at 5 p.m., and we usually work much later than that when we are doing important pieces of legislation, at 5 p.m. the Republicans adjourned the committee so they could go off to a fundraiser underwritten by Glaxo-Wellcome, a British pharmaceutical company, to the tune of $250,000 and supported by other drug companies.

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

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

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

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

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

Until the Republican leadership in this Congress gets its act together and realizes this drug bill should be for seniors, not for drug company interests, Americans are going to continue to see the kind of stalemate here that has happened.

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

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

□ 1945

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

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

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

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

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

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

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

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

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

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

It specifically says that the person who administers the prescription drug program under their legislation cannot in any way require or institute a price structure for the reimbursement of covered outpatient drugs or to interfere in any way with negotiations 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 under whatever program they have that somehow prices would be reduced, that they actually put in language to say it is not possible for the administrator of their prescription drug program to do anything to bring costs down. It is unbelievable how much they are willing to do the bidding of the drug industry because of the amount of money that they get from the drug industry.

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

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

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

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

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

Under the Republican plan, there are a number of problems. First of all, a senior citizen would have to go out and find an insurance company or a plan that would allow them to participate. There is an obstacle at the very beginning. I think many seniors who have tried to acquire Medigap insurance, things of that nature through a private insurer, find out those insurers are few and far between, and the cost is 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, with a deductible of $250 a year. Under the Republican plan, the seniors would pay 20 percent of the first $1,000 and then 50 percent of the next $1,000. So if a senior has a regular and serious need for prescription drugs, the very people we are trying to help in this, there are substantial costs.

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

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

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

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

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

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

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

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

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

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

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

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

□ 2000

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

We had a couple of our colleagues, the gentleman from Arkansas (Mr. ROSS) who owns a pharmacy company and the gentleman from Arkansas (Mr. BERRY) who is a pharmacist, two guys from Arkansas, they pointed out that someone will come into their pharmacy like on a Monday or a Tuesday morning and ask for a certain drug that has been prescribed by their doctor and be told, Okay. Well, that is $350. The person says, I can't afford it, walks out of the pharmacy; and because the town is so small where they are in Arkansas, they actually see that person in the hospital at the end of the week running up a bill for Medicare that is 10, $20,000. It makes no sense. We need to basically reform Medicare and include a prescription drug benefit, not put it outside Medicare, because we will save money if we do it. It is such a simple thing to explain to our Republican colleagues; and they just reject it because they do not like Medicare, and they certainly do not want any impact on pricing.

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

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

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

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

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

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

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

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

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

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

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

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

And for those naysayers about the cost, all we have to do is put a moratorium or repeal the enormous tax cut that has really sent us into the deficit, if you will, that we are in. I would much rather invest in this particular plan because this plan has growth. It provides a lifesaving component to senior citizens benefits for Medicare. You cannot have health care and maintenance by physicians and they are not able to take the prescribed drugs that they are given. This is a key element. I hope that my colleagues will join us and vote almost in unanimous manner on the substitute that I believe offers to all of us a real chance to make a difference on prescription drug benefits.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

So why is the Republican bill a prodrug manufacturer bill? I do not know. It is crafted by the drug industry for the drug industry. They have been unwilling, the Republicans have been unwilling to work with Democrats to develop a bipartisan bill; and I say to my friends on the other side of the aisle, it is time that this Congress stop talking about this issue and got to work. It is time we united in a bipartisan fashion on the need to truly provide our seniors with the medicine they need, just as we have united on this war against terrorism.

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

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

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

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

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

I get angry when I look at statistics that tell me that PhRMA, the drug manufacturers, have over 600 lobbyists on Capitol Hill promoting their interests. Let me tell my colleagues what makes me angry about that. Pharmaceutical company profits are nearly four times the average of other Fortune 500 companies. The annual profit of the top 14 pharmaceutical companies is $38 billion, with a B, and the drug industries' effective tax rate is half that of other major industries. I could go on and on, but I will not.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 2030

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

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

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

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

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

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

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

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

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

SIGNIFICANT CHANGES IN OUR CULTURE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Let me just explain a few of these.

In 1997, the Supreme Court ruled that indecent speech is protected by the first amendment and overturned the Communications Decency Act. That was in 1997.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Pornography exploits and victimizes women and children, and it does so for money. Pornography is a $15 billion-a-year industry. Just a few years ago, it was a matter of hundreds of thousands of dollars. Today it is a $15 billion industry. In one study, nearly 80 percent of convicted molesters admitted to regular use of hard-core pornography. Roughly 80 percent. When you talk about people being sexually aggressive, attacking young women, the figure went up to 90 percent being regular users of hard-core pornography. So again we would have to say that there does appear to be a link between what people hear and what they see and what they read and what they do. And so we are really flooding our society today with material that I believe is really dramatically affecting the lives of our children.

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

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

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

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

In 1999 a survey found that two-thirds of American teens believed that violence in America's television and music ''is partially responsible for crimes like the Littleton shootings at the Columbine High School,'' and this was put out by the Senate Judiciary Committee. So we find two out of three people living in the community in the environment where they are inundated by some of these messages say that they believe that there would be a link between that violence and that culture and what happened at Littleton. And I guess they were pretty much on track because 5 days after the massacre, NBC reported that the Littleton killers idolized shock rocker Marilyn Manson. And Marilyn Manson was described by the music press as an ''ultra-violent satanic rock monstrosity.''

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

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

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

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

The headline in the Wall Street Journal in May of 2000 says this: ''AT&T To Offer Hard Core Adult Movies In Drive For Digital Subscribers.'' That was a headline in the Wall Street Journal. And AT&T, as most everyone listening would know, is one of the premiere industries in the United States. It is a so-called blue chip stock, and yet here we find a company with the stature of AT&T marketing hard-core pornography.

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

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

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

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

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

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

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

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

This is something I have found very discouraging. The Center for Disease Control and Prevention estimates that 3 million teens per year contract 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 they will never be able to overcome. Out-of-wedlock birth rate was 5 percent in 1960. Today it is 33 percent. So one out of every three children born in our culture today is born with two strikes against them. I have to believe that to some degree the degradation of our media has had a direct influence on that.

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

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

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

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

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

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

□ 2100

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

That may sound like an extreme statement to say at this particular junction. I do not want anyone to believe that I am at all minimizing the importance of the war on terrorism. I believe that every dime that we have appropriated here to fight the war on terrorism, everything the President has done to try to keep things on track has been very, very appropriate, but I would also say that what is happening internally, what is happening to our children, what is happening to our value system, long-term, long haul, may prove to be every bit as threatening, if not more, than the war on terrorism.

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

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

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

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

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

THE HEALTHCARE SYSTEM

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

Mr. TANCREDO. Mr. Speaker, as I sat here and listened to the gentleman from Nebraska (Mr. OSBORNE), I am made even more proud of the folks who represent our side in this great deliberative body that we call the Congress of the United States; and the heartfelt plea that he makes to the Nation I think is, and the rhetoric, the chosen selective rhetoric that he used should certainly be an example for all of us to follow in terms of how to explain an issue and a position that stems solely out of true moral courage, and really no politics are involved at all.

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

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

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

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

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

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

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

Let us now turn to today's discussion.

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

□ 2115

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

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

That is a very alluring thing to a lot of people. They just do not want to think about health care costs. This is something so close to one's own emotional hot button that it is very difficult to discuss this logically, and that is something that we on this side of the aisle, I think, try to do often. We try to address these issues from a logical standpoint, not an emotional standpoint. But we are always at a disadvantage in that debate. It is easier to make the case that no one should worry about health care and that the government essentially should be relied upon to keep everybody alive 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 someone else, a younger person, a healthier person, so be it; that is the way it should be done. I do not care, because of course I will be dead before too long and who knows and who cares what happens after that.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

We try our best, and I think our Nation is to be commended for what we do for senior citizens, certainly what we did for my parents, my father, who is in a nursing home and on Medicaid and a recipient of government largess. I understand the incredible value here. I just suggest to us all that we have to at some point, at some point we have to think about what we cannot afford any more; and I would certainly suggest that a plan that costs us $1 trillion today is not something we can afford, and especially presented after weeks and weeks and weeks of attacks on our party, on the Republican Party, for what they determined to be profligate spending and the raiding of the Social Security trust fund.

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

□ 2130

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 2145

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

Nature puts down a barrier below that called a hydrophobic barrier that actually, when this occurs, when it does that, it is actually impermeable. What nature is trying to do is hold the rest of the mountain together. But that means that everything above that barrier will go the minute we have rain. And where does it go? It will go into, in this case, the Denver water supply and will have to be filtered, will cost us hundreds of millions of dollars perhaps to do that because this particular fire is incredibly damaging in that respect.

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

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

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

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

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

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

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

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

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

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

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

What worries me is that this is June 23 or June 24. We are at the beginning of the season. How much more will it be on fire this year? I do not know, and next year. Because, believe me, even if we implemented, even if tomorrow we started to do everything we needed to do in terms of forest management, it will take us years to clean the forests and get them back to a position that they can sustain these kinds of fires in a natural setting.

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

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

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

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

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

Mr. Speaker, let me say this. I believe that we are in this Nation and as a member of western civilization as perhaps the leading Nation in what can be described as western civilization, we are in a conflict. It is a conflict that is really quite old in origin. It has been going on for hundreds and hundreds of years. It flares up at certain points of time and subsides at others, but it is nonetheless an ongoing conflict. There are those certainly who would suggest that the threat to the United States is posed by an organization often referred to as al Qaeda and that it is a relatively small group of people around the world who have the intent to do America great harm.

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

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

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

□ 2200

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

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

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

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

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

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

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

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

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

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

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

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

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

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

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

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

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

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

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

Mr. PETERSON of Pennsylvania (at the request of Mr. ARMEY) for today on account of family business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

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

Mr. HILL, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mrs. THURMAN, for 5 minutes, today.

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

Mr. HOYER, for 5 minutes, today.

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

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

Mr. PAUL, for 5 minutes, today.

Mr. KELLER, for 5 minutes, today.

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

SENATE BILL REFERRED.

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

table and, under the rule, referred as follows:

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

ADJOURNMENT

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

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

EXECUTIVE COMMUNICATIONS, ETC.

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

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

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

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

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

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

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

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

7590. A letter from the Director, FDIC Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Minimum Standards of Integrity and Fitness for an FDIC Contractor (RIN: 3064-AC29) received June 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

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

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

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

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

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

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

PUBLIC BILLS AND RESOLUTIONS

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

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

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

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

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

By Mr. ACEVEDO-VILA:

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

By Mr. ARMEY (for himself, Mr. HASTERT, Mr. DELAY, Mr. WATTS of Oklahoma, Mr. COX, Ms. PRYCE of Ohio, Mrs. CUBIN, Mr. TOM DAVIS of Virginia, Mr. BLUNT, Mr. PORTMAN, Mr. ADERHOLT, Mr. AKIN, Mr. BALLENGER, Mr. BARR of Georgia, Mr. BASS, Mr. BEREUTER, Mr. BOEHLERT, Mr. BONILLA, Mrs. BONO, Mr. BRADY of Texas, Mr. BROWN of South Carolina, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALVERT, Mr. CAMP, Mr. CANTOR, Mrs. CAPITO, Mr. CASTLE, Mr. CHAMBLISS, Mr. COOKSEY, Mr. CRENSHAW, Mrs. JO ANN DAVIS of Virginia, Mr. DREIER, Mr. DEMINT, Ms. DUNN, Mr. EHRLICH, Mr. ENGLISH, Mr. FERGUSON, Mr. FORBES, Mr. FOSSELLA, Mr. GANSKE, Mr. GEKAS, Mr. GIBBONS, Mr. GILMAN, Mr. GILLMOR, Mr. GOODE, Ms. GRANGER, Mr. GREEN of Wisconsin, Mr. GREENWOOD, Mr. GRUCCI, Mr. HANSEN, Ms. HARMAN, Ms. HART, Mr. HASTINGS of Washington, Mr. HAYES, Mr. HAYWORTH, Mr. HEFLEY, Mr. HERGER, Mr. HOEKSTRA, Mr. HORN, Mr. HOUGHTON, Mr. ISSA, Mr. JENKINS, Mrs. JOHNSON of Connecticut, Mr. KELLER, Mrs. KELLY, Mr. KING, Mr. KOLBE, Mr. LAHOOD, Mr. LINDER, Mr. MCCRERY, Mr. MCKEON, Mr. MALONEY of Connecticut, Mr. MANZULLO, Mr. DAN MILLER of Florida, Mr. GARY G. MILLER of California, Mrs. MORELLA, Mrs. MYRICK, Mr. NUSSLE, Mr. OSBORNE, Mr. OXLEY, Mr. PICKERING, Mr. PITTS, Mr. PUTNAM, Mr. REHBERG, Mr. ROHRABACHER, Mr. ROYCE, Mrs. ROUKEMA, Mr. RYUN of Kansas, Mr. SAXTON, Mr. SCHROCK, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHAW, Mr. SHAYS, Mr. SHERWOOD, Mr. SIMPSON, Mr. SKEEN, Mr. SOUDER, Mr. SWEENEY, Mr. TANCREDO, Mr. TAUZIN, Mr. THORNBERRY, Mr. TIBERI, Mr. UPTON, Mr. SHIMKUS, Mr. WALDEN of Oregon, Mr. WAMP, Mr. WELDON of Pennsylvania, Mr. WELLER, Mr. WHITFIELD, Mr. WICKER, Mrs. WILSON of New Mexico, and Mr. WILSON of South Carolina) (all by request):

H.R. 5005. A bill to establish the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Agriculture, Appropriations, Armed Services, Energy and Commerce, Financial Services, Government Reform, Intelligence (Permanent Select), International Relations, the Judiciary, Science, Transportation and Infrastructure, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING:

H.R. 5006. A bill to amend the Professional Boxing Safety Act of 1996, and to establish the United States Boxing Administration; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

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

H.R. 5007. A bill to direct the Comptroller General to enter into arrangements with the National Academy of Sciences and the Librarian of Congress for conducting a study on the feasibility and costs of implementing an emergency electronic communications system for Congress to ensure the continuity of the operations of Congress during an emergency, and for other purposes; to the Committee on House Administration.

By Mr. POMEROY:

H.R. 5008. A bill to amend the Internal Revenue Code of 1986 to limit the applicability of the estate tax to estates of over $3,500,000, and for other purposes; to the Committee on Ways and Means.

By Mr. WALDEN of Oregon:

H.R. 5009. A bill to direct the Secretary of the Interior to convey certain land to the city of Haines, Oregon; to the Committee on Resources.

By Ms. VELAZQUEZ (for herself, Mr. MANZULLO, Mr. TOOMEY, Ms. MILLENDER-MCDONALD, Mr. DEMINT, Mr. PASCRELL, Mr. THUNE, Mr. BRADY of Pennsylvania, Mr. PENCE, Mr. UDALL of New Mexico, Mr. COMBEST, Mr. HEFLEY, Mr. DAVIS of Illinois, Mr. BARTLETT of Maryland, Mrs. CHRISTENSEN, Mr. LOBIONDO, Mrs. JONES of Ohio, Mrs. KELLY, Mr. GONZALEZ, Mr. CHABOT, Mr. PHELPS, Mr. FERGUSON, Mr. LANGEVIN, Mr. ISSA, Mr. BAIRD, Mr. GRAVES, Mrs. NAPOLITANO, Mr. SCHROCK, Mr. UDALL of Colorado, Mr. GRUCCI, Mr. ACEVEDO-VILA, Mr. AKIN, Mr. CARSON of Oklahoma, Mrs. CAPITO, Mr. ROSS, and Mr. SHUSTER):

H. Con. Res. 424. Concurrent resolution commending the patriotic contributions of the roofing professionals who replaced, at no cost to the Federal Government, the section of the Pentagon's slate roof that was destroyed as a result of the terrorist attacks against the United States that occurred on September 11, 2001; to the Committee on Government Reform.

By Mr. CLAY (for himself, Mr. SHIMKUS, Mr. GEPHARDT, Mrs. EMERSON, Mr. SKELTON, Ms. MCCARTHY of Missouri, Mr. GRAVES, Mr. BLUNT, Mr. AKIN, Mr. HULSHOF, Mr. JOHNSON of Illinois, Mr. BOSWELL, Mr. BOOZMAN, Mr. COSTELLO, Mr. PHELPS, Mr. ROSS, Mr. SNYDER, Mr. EVANS, Mr. LAHOOD, Mr. BERRY, Mr. LEACH, and Mr. NUSSLE):

H. Res. 455. A resolution honoring the life of John Francis ''Jack'' Buck; to the Committee on Government Reform.

By Mr. MALONEY of Connecticut:

H. Res. 456. A resolution providing for consideration of the bill (H.R. 3884) to amend the Internal Revenue Code of 1986 to prevent corporations from avoiding the United States income tax by reincorporting in a foreign country; to the Committee on Rules.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 184: Mr. MCGOVERN.
H.R. 218: Mr. MORAN of Kansas
H.R. 356: Mr. HAYES.
H.R. 602: Mr. GIBBONS.
H.R. 609: Ms. WATSON.
H.R. 831: Mr. JONES of North Carolina, Mr. JOHN, and Mr. GIBBONS.
H.R. 854: Mr. LARSON of Connecticut and Mr. SMITH of Texas.
H.R. 952: Mr. HASTINGS of Florida.
H.R. 1090: Mr. BALDACCI, Mrs. CAPPS, Mr. NETHERCUTT, Mr. BAIRD, Mr. DAVIS of Illinois, and Mr. TURNER.
H.R. 1097: Mr. BAIRD, Mr. CONYERS, and Mr. DEUTSCH.
H.R. 1111: Mr. OWENS.
H.R. 2001: Mr. SANDERS, Mr. STARK, Ms. DELAURO, and Mr. HASTINGS of Florida.
H.R. 1324: Mr. PRICE of North Carolina.
H.R. 1351: MR. CARSON of Oklahoma.
H.R. 1433: Mr. DEFAZIO.
H.R. 1460: Mr. SULLIVAN.
H.R. 1470: Mr. BONIOR.
H.R. 1897: Mr. STENHOLM.
H.R. 1950: Mr. NORWOOD.
H.R. 2063: Mr. BECERRA, Mr. CARDIN, and Mr. LEWIS of Georgia.
H.R. 2082: Mr. KIND.
H.R. 2117: Mr. NADLER, Mr. BECERRA, Mr. HULSHOF, and Mr. SMITH of Washington.
H.R. 2649: Mr. BARR of Georgia, Mr. HOBSON, Mr. PETRI, Mr. COLLINS, and Mr. HEFLEY.
H.R. 2740: Mr. BARRETT.
H.R. 3058: Mrs. MCCARTHY of New York, Mr. KIRK, and Mr. SCHIFF.
H.R. 3450: Mr. BACA and Mr. RODRIGUEZ.
H.R. 3572: Mr. WHITFIELD, Mr. BOUCHER, Mr. FROST, Mr. UNDERWOOD, and Mr. SANDERS.
H.R. 3626: Mr. PICKERING.
H.R. 3733: Mr. SANDLIN.
H.R. 3777: Mr. WATT of North Carolina.
H.R. 3884: Mr. TAYLOR of Mississippi, Ms. PELOSI, Mr. KING, and Mr. COYNE.
H.R. 3911: Ms. PRYCE of Ohio.
H.R. 3930: Mr. LINDER, Mr. UDALL of Colorado, Mrs. MEEK of Florida, Ms. SOLIS, Mr. GREEN of Texas, and Mr. GORDON.
H.R. 3973: Mr. WOLF.
H.R. 3992: Mr. SHAW.
H.R. 4012: Mr. OSBORNE.
H.R. 4018: Mr. SANDLIN.
H.R. 4037: Mr. SMITH of New Jersey.
H.R. 4046: Ms. WOOLSEY.
H.R. 4061: Mrs. CHRISTENSEN, Mr. MORAN of Virginia, Mr. FRANK, Mr. DEUTSCH, and Mr. ENGEL.

H.R. 4066: Mr. QUINN.

H.R. 4123: Mr. DAVIS of Illinois and Mr. CLAY.

H.R. 4194: Mr. PAYNE and Ms. NORTON.

H.R. 4477: Mr. FLAKE and Mr. WAMP.

H.R. 4515: Mr. STUPAK.

H.R. 4611: Ms. ESHOO, Mr. STARK, Ms. CARSON of Indiana, and Ms. DEGETTE.

H.R. 4644: Mr. LANTOS, Mr. LIPINSKI, Mr. MCNULTY, and Mr. WYNN.

H.R. 4654: Mr. MARKEY and Mr. WAXMAN.

H.R. 4655: Mr. DINGELL.

H.R. 4668: Mr. GOODE, Mr. PAYNE, Mr. BAIRD, Mr. HONDA, Mr. FILNER, Ms. ESHOO, Mr. CALVERT, Mr. BALDACCI, and Mr. MCINNIS.

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

H.R. 4709: Mr. MORAN of Virginia.

H.R. 4720: Mr. CALVERT, Mr. BOUCHER, Mr. 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. 4795: Mr. MCHUGH.

H.R. 4858: Ms. JACKSON-LEE of Texas.

H.R. 4894: Ms. DEGETTE, Mr. SCOTT, Ms. MCCOLLUM, Mr. RUSH, and Mr. PLATTS.

H.R. 4937: Ms. NORTON and Mr. DAVIS of Illinois.

H.R. 4939: Mr. PLATTS and Mr. GOODE.

H.R. 4963: Mr. FROST, Ms. WOOLSEY, Mr. FRANK, Mr. LIPINSKI, and Ms. SCHAKOWSKY.

H.R. 4964: Mr. BROWN of Ohio.

H.R. 4967: Mr. HINOJOSA.

H.R. 4972: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. UDALL of New Mexico, Mr. RODRIGUEZ, Mr. MCDERMOTT, Ms. SCHAKOWSKY, Mr. RANGEL, and Mr. CAPUANO.

H.R. 4993: Ms. HOOLEY of Oregon.

H.J. Res. 92: Ms. CARSON of Indiana, Mr. MCGOVERN, Mr. LANTOS, Mr. MEEKS of New York, and Mr. BRADY of Pennsylvania.

H.J. Res. 95: Mr. JONES of North Carolina and Mr. MCINNIS.

H. Con. Res. 38: Mr. PAYNE and Ms. WOOLSEY.

H. Con. Res. 164: Mr. DREIER.

H. Con. Res. 345: Mr. DREIER.

H. Con. Res. 404: Mr. DAVIS of Illinois, Ms. WATERS, and Ms. SCHAKOWSKY.

H. Con. Res. 408: Ms. MCCOLLUM, Mr. BOEHLERT, Mr. FILNER, and Mr. SCHROCK.

H. Con. Res. 413: Mr. PASTOR.

H. Con. Res. 420: Mr. KERNS.

H. Res. 295: Mrs. CLAYTON.

H. Res. 454: Mr. CROWLEY.

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PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

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Senate

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,
PRESIDENT PRO TEMPORE,
Washington, DC, June 24, 2002.

To the Senate:

Under the provisions of rule I, 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

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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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 in the first round that year, that is how good they were, but 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 Vegan. She went to UNLV. 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 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—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 every place 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, from fewer than 300,000 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 participating in athletics and my sons' participating in athletics helped build 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 inspired a generation of women, 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 trounced him. We reminisced about that. The main reason she came to see me 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 for some girls 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, Brandy Chastain, and Mia Hamm 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 obese, 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, and tobacco, and to antisocial behavior. 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 a 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 this program. They are making misleading 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 cuts in 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 the law of 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 an equal opportunity to participate in sports, but Title IX addresses a whole 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.

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 was talking about women being lawyers. 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, young women continue to be 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. While we are 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, teaching 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 we hear that 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. She and I are about 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 decline, there is 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 having an impact.

Also, 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 Superfund sites that are going to be cleaned up. I have a chart that shows the number of cleanups we did under the Clinton administration, and the number of cleanups that are now being proposed by the Bush administration.

In the red here, the average number for the last 4 years of the Clinton administration was 86 sites cleaned up each and every year. That means 86 neighborhoods reclaiming an area that was so toxic and polluted there could be no economic development. Those sites were cleaned up.

When the Bush administration came in, they promised they would clean up 75 sites. We were not happy about that—we saw that was a reduction of 10 sites and that would mean 10 communities in trouble, property values declining, 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 11 sites fewer 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, and they are not going to happen.

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 which 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 us get 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 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. Maybe it is all theoretical, 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. Every single State except 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 sick or in 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 needed to 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 that prevent eight childhood diseases have been in short supply in the United States since last summer.

Thankfully, there have been no major outbreaks among American children. We thankfully have been vigilant about vaccinations in this country in recent years, and our population on the whole has built up a strong immunity. 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 that are in short supply today in our country are necessary 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, diphtheria 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.

That is welcome news. But the underlying, fundamental problems that have caused the current shortage—and past shortages—if not addressed, will cause another shortage in the future. Vaccine shortages will occur year after year, time after time, if we do not act. Now is the time to address the fundamental problems underlying these shortages.

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 supply of vaccines to take care of current shortages, 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 vaccines 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 we and 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 that the vaccine prevents disease, 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 provisions 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 work very well. But now 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 whole value today 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 also 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 down 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 indeed has been one of the most successful public health initiatives in our 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 intelligence agencies as critical 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 of where we are, what we are spending, what we have been spending in the past, and where we need to go in the future.

Many people may not know that 10 years ago, under the last budget of former President Bush, the appropriated amount for defense was $327 billion. We started, since that time, a continuous downgrade movement in spending for the defense of this country, which has really put us in a bad position.

Several years ago, one of our key witnesses said we are facing a bow wave of unmet needs. We know that since the late 1980s personnel has dropped 40 percent in our services. They are better trained and better equipped than before. They are 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. We have set an objective as to what we want 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, $327 billion. 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 down steadily.

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 another minor 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

dollars, adjusted for inflation, which is even larger than the amount that appears on paper because, as you know, the dollars were becoming always a little bit less valuable each year.

So when President Bush campaigned on strengthening the military, he took 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 1993 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 of America, 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 technological sophistication 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 all of these 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 can drop a 2,000-pound 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 what we have expended 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—on the Crusader artillery piece. It is an $11 billion item. It was not considered part of the objective force but an interim weapon system before we could get 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 counterattack force.

The 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. If we work and develop them, we could bring those in, 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 for increased investment in smarter munitions 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.

The ACTING PRESIDENT pro tempore. The Senator has used 10 minutes.

Mr. SESSIONS. I see my friend in the Chamber, Senator DORGAN.

I will just finish up, if I can, and say that we are making progress. We will have a debate on national missile defense. If we can get the money back for that, I believe we will have a defense budget of which we can all be proud.

I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. DORGAN. Madam President, my colleague just mentioned national missile defense. I think we will have a robust, aggressive debate on that subject in the Senate. We all agree that we need a defense of some sort against rogue nations or terrorists aiming a missile at our country.

But we need to look at the broad range of threats that this country faces. We have 5.7 million containers come into our ports every year on container ships; 100,000 of them are inspected; the other 5.6 million are not. Almost anyone will tell you it is far more likely that a weapon of mass destruction is going to come in on a container ship, coming to a dock at 2 miles an hour to threaten an American city or to be put on an 18-wheel truck and moved out to the middle part of the country. Almost anyone will tell that you the low-tech approach to threatening America with a weapon of mass destruction is much more likely than a terrorist having access to an intercontinental ballistic missile and putting a nuclear tip on that ICBM.

I have supported billions and billions of dollars on research and development of missile defense. But that is not the only threat we face. We face so many other threats that are largely ignored. I just mention the one with respect to port security: 5.7 million big containers come in every single year, and 5.6 million are uninspected.

In the Middle East, a terrorist put himself in one of these containers. He had fresh water, a heater, a GPS, a computer, a bed, and he was shipping himself to Canada in a container.

It is likely that terrorists will threaten this country not with a high-tech weapon but by putting a weapon of mass destruction in a container on a ship coming up to a port at 1 or 2 miles an hour, not an ICBM.

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 what 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 last week, this morning we hear on the news that there is a proposal to shut down our Amtrak rail passenger service in the middle of this week. Why? Because Amtrak needs the resources to continue and lacks them. You know, you often hear that it is so-and-so's job to keep the trains running on time. Well, it has to be somebody's job to keep the trains running, period. It makes no sense for us to be here on a Monday wondering whether Amtrak will shut down on a Wednesday.

In North Dakota, we have Amtrak service; 82,000 North Dakotans boarded Amtrak last year as the trains came through and stopped at many points. I

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 a subsidy 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 as we 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 ensure 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 dollars, and climbing.

As you can see in this chart, the trade deficit is totally out of control. In fact, when we try to put in the 2002 numbers, we will be somewhere off the chart, around $480 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. I didn't believe President Clinton should have that trade authority, and I don't believe this President should either.

This next chart shows the increases in trade deficits as we entered into one bad trade agreement after another. You see what has happened since 1976. The deficit line goes up, up, up, and up—the highest trade deficits in human history.

Nobody seems to think much of it. You didn't hear one whisper last Wednesday when it was announced 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 number one export item has become? 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 can't 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, as I speak, 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.

Our negotiators go 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 over market access 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 of U.S. steel, textiles, and citrus 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 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 a beef agreement 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 into 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 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 very 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 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 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 at 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 want to add a few words.

Mr. WARNER. Mr. President, I thank my good friend. I remember him with the warmest regard and respect. I will get for the record the number of Secretaries of Defense under whom he was privileged to serve, but it is somewhere in the seven to eight number. He was affectionately known as the mayor of the Department of Defense.

Mind you now, this is a building that was built in the late thirties and early forties, the thought being it might be used as a hospital for heavy casualties if we ever incurred them. Then it was quickly transformed into the Department of Defense. It is vast. Some 25,000 individuals are at work at any one time either in the building or the environs. He knew every square foot of that building. He knew it well.

I remember one time, I made a very foolish decision—perhaps I made several when 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 that, as he did many other projects.

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.

He had an unfortunate accident on the way to give a speech in Charlottesville. He did not recover from his injuries. His car simply went off the road, which indicates possibly he was afflicted by some illness and lost control. No one else was injured. We are thankful for that.

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 and I will make 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 Senate 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. REED, 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 125, 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 components 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 our female soldiers in Saudi Arabia. For those who do not know what this is, the abaya outfit covers, from head to toe, the person wearing it, and this abaya covers the entire military uniform of female 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 General Franks. I wrote a second letter to Deputy Secretary Paul 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 be forced 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 uniform and had to cover it up? So we could not get an answer. That is the bottom line.

I received a letter from a man who lived in Saudi Arabia for 19 years who agreed with my position regarding the abaya. So I asked Paul Wolfowitz essentially what this man asked me: Can we not instruct our officers in avoiding harassment and help preserve our hard-fought freedoms and not make them subject to police state tactics? Isn't that possible?

On September 11, as we all know, the United States was attacked. Shortly thereafter, our Armed Forces began their operations in Afghanistan. After the Taliban and al-Qaida forces were in retreat, Afghan women joyfully—you can remember the press reports—began shedding their burqas, the head-to-toe gowns women were made to wear by the brutal Taliban regime. I think we can all remember those vivid pictures that began to crop up in the papers and in the magazines, showing women peeking out through these burqas and finally beginning to have the freedom of expression they so deserved. It was a very warm moment to see that, and a very touching moment.

U.S. reporters began to question, now, the Department of Defense, about how we could justify celebrating the victory over the repressive Taliban which the burqa symbolized, yet at the same time require our own American women in uniform to wear 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 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 will talk about later, and I 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.

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 wasn't there, but based 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's burqa episode 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 variant of the burqa, the abaya.

In a State Department publication, ''The Taliban's War Against Women,'' there is this quotation about the burqa. Here is the quote about the burqa:

> The fate of women in Afghanistan is infamous and intolerable. The burqa that imprisons them is a cloth prison, but it is above all a moral prison. The torture imposed upon little girls who dared to show their ankles or their polished nails is appalling. It is unacceptable and unsupportable.

That is the State Department. That is not my quote, that is a quote issued by the State Department.

In the quotation from King Mohamed VI of Morocco, just substitute the word ''burqa'' for ''abaya'' and consider we are doing this to our women. After we cheered the liberation of Afghan women, after the fall of the Taliban, we are now doing this to our women in Saudi Arabia.

With all due respect, if you cannot defend a policy, you probably ought to change it. This really doesn't require a lot of thought. If you can't defend it, it probably should be changed. The Secretary of Defense, I am very pleased to say, did eventually repeal the abaya mandate.

However, that is the good news. Regrettably, that repeal, which I believe was meant in good faith, was then circumvented at lower levels. In other words, the Secretary said let's repeal it, but when it went down to the command level, nothing happened, and women were still being forced to wear the abaya. So basically the decision to repeal it was ignored. I can't think of a nicer way to say it. Female soldiers in Saudi Arabia are now essentially coerced into wearing Muslim garb by being warned they will endanger their fellow comrades if they do not wear it. They are now strongly encouraged to wear this Muslim robe.

That is the exact language that is used in the command directive: Women are ''strongly encouraged'' to wear this Muslim robe.

To a young soldier—those of you who have been in the military, as I have, understand this—when you are strongly encouraged to do something by your superiors, and you are in uniform, you do it. It is no different from a direct order. It is essentially the same thing. So the mandate is gone, but women are still being forced to wear abayas.

It is incredible to think that a woman in a military uniform has to cover that uniform up with an abaya, and that is a directive at the command level of the U.S. military. It really is incredible to me that we have to be here on the Senate floor to correct this into law because, frankly, it is a stupid rule. It ought to be eliminated. It should not have to be done here on the Senate floor.

I tried every way for months not to be here on the Senate floor to do this. I tried, but I could not get it done because it is still there. I have yet to meet a man or a woman who has served in Saudi Arabia in the military who agrees with this policy. I have yet to meet anybody who agrees with the policy, whether they served or not. So repeal of the mandate may have helped the Department of Defense in terms of public relations, and legally because of the lawsuit brought—reluctantly, I might add—by Air Force COL Martha McSally, who fought for 6 years within the system to overturn this policy and first publicized the injustice of this policy last year.

Here is an exemplary officer who fought for 6 years quietly to try to remove this, to say it was wrong. The essence of her message is this: I am a Christian. I don't want to wear an

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 women'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 when are we 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 buying oil from Saddam, while they 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, may not wear the abaya 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 here—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 getting any type of retribution—implied, indirect, or direct of 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 I am saying, if it does, 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 khakis, 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, who is 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 consider for a moment what ''host sensitivity'' means. It was the original justification for the abaya policy. Does it mean we are going to subject 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?

I visited Afghanistan. We landed in a snowstorm and reviewed the American military who were there. Men and women were standing in a snowstorm waiting for our plane to land. Senator DASCHLE was there. Several of my colleagues were there. They were wearing their uniforms. Frankly, they looked pretty doggone good in them.

Not one of those women had to wear a burqa or an abaya because they happened to be in Afghanistan. It is so ridiculous it is not even worth the breath it takes to talk about it.

Yet we have to talk about it right here on the floor of the Senate because some bullheaded person down there in the command wouldn't change it. That is the reason we are here. It is the only reason we are here.

I have heard some justify this practice as, well, when you are in Rome, do as the Romans do. They are mistaking minor cultural norms, such as not showing the bottoms of one's feet, or removing your shoes at the door, for example, which is customary in Japan before entering a home, with something entirely different and far more important. This is the U.S. military officer's uniform.

It is not about harmless customs. Rather, it is about our fundamental values—religious freedom based on the first amendment. And it is about gender discrimination. That is what this is. It is gender discrimination. And it is a violation of the first amendment. It goes against every rule we have in the military about showing off our uniforms and being proud to wear them.

The Saudis certainly don't believe in ''When in Rome, do as the Romans do.'' Let me give you an example.

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 local 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 abaya 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 with pride. You and I—or anyone who 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 women 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 ''local.'' 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 other tourists, 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 caused the death of 15 school girls 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 they were not suitably attired—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 abayas on. That is 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. They are the same ones who recently caused the senseless deaths of these 15 young women in their own country for lack of a head scarf. Think about that. And we are going to kowtow? We are going to tell a U.S. Air Force officer—who is a decorated officer and has been promoted ahead of schedule twice, an Air Force Academy graduate, who flies over Iraq in the no-fly zone—we are going to say to her, you have to cover up your U.S. uniform because you might be harassed by somebody who 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-anointed religious police, whom we seek to accommodate under the rationale of ''host nation sensitivities.'' I 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 said before, and proud of what those uniforms stand for. We should not treat any of them—men or women—as second-class citizens, regardless of the sensitivities of the host nation.

They do not want to be treated that way. They are willing to take any risk of somebody harassing them, or whatever it is, to wear their uniform. And they have that right. They should never be asked to cover their uniform in some disgraceful attempt to hide the military uniform of the U.S. Air Force or any other branch of our military.

We deployed a half million troops in the gulf against Iraq only a little over a decade ago and suffered nearly 300 casualties to defend the sovereignty of Kuwait and to protect the Saudi Kingdom, which was directly threatened by the invasion of Kuwait by Iraqi forces. And because the mutawa wants these women to wear burqas or abayas, we are going to kowtow to that? And we can't get this repealed without coming to the Senate floor? Give me a break.

Our deployment in the gulf was pretty important. I supported going to the gulf. But it was not more important than the esprit de corps and the unity of our servicepeople in the region, nor more important than abiding by the principles fundamental to the creation of the United States of America: Religious freedom of expression, and to wear proudly the uniform of the United States of America, which millions have done.

How can you ask a military officer—an exemplary military officer—to cover up her uniform, to be ashamed of her uniform?

In 1981, an Air Force officer sued the Air Force because he wanted to wear a yarmulke, a symbol of the Jewish faith. The case went to the Supreme Court, and the officer lost. The Air Force's argument then—and I juxtapose it now to show the contradictory rationale for the abaya today—is the importance of the military uniform and uniformity itself in terms of discipline and hierarchical unity.

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 preferences and identities in favor of the overall group mission.

That is exactly right. That is the point.

Uniforms encourage a sense of hierarchical unity by 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 be ready to 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 anecdote, 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 forced to sit in the back. On top of that, 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 a policy like 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, so that she 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 publicly a cross as the symbol of her faith. She is asking not to wear a religious garment not of her faith.

She is arguing the Air Force's case when it argued against the yarmulke. She is arguing not to be wearing a badge of religious and ethnic identity. That is all she is asking.

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 servicewomen in Saudi Arabia are coerced into wearing religious 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 lifting 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 them on top of everything else. The taxpayers are paying for the abaya.

The majority leader in a front page Washington Times story on June 17 commented about the U.S. relationship with the Saudi Government:

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, that the Secretary of Defense 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 now and 5:45 then 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 wear an abaya when they leave their military bases.

From 1991 until January 2002, U.S. military authorities required female

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 issue 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, a Desert Storm veteran, 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 ''I cannot, will not put that thing on,'' 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 to wear the abaya off-base to 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 abeya 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 oppressive, 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 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 abayas for military personnel 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 Virginia 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 the 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.

Several years ago, the United States Central Command instituted a policy that requires our female service members in Saudi Arabia to wear an abaya while off base.

The abaya is a traditional religious garment worn by Saudi women not unlike the Afghan burqa.

Saudi women can face beatings by religious police if they are not wearing this garment and the U.S. Central Command has justified this policy as a force protection measure.

However, the Saudi Government does not require non-Muslim women to wear an abaya.

Westerners are merely expected to wear conservative clothing, such as slacks and collared shirts for men and long skirts and long sleeved blouses for women.

While it's sensible to make reasonable accommodations for a host culture, we must not forget that American personnel abroad are representatives of our free society.

In fact, the U.S. State Department explicitly forbids its female employees in Saudi Arabia from wearing the abaya while serving in an official capacity for the United States Government.

We should be setting a positive example of respect for women, especially the very women who are helping to defend Saudi Arabia from would-be aggressors.

In order to try to alleviate the mounting criticism of the abaya policy, the Central Command revised its policy in January to state that the wearing of the abaya is ''not mandatory but is strongly encouraged''.

This distinction does not go nearly far enough and may mean little in practice.

Let me be clear, the abaya policy is not simply a bad idea and completely unnecessary, it is blatantly discriminatory.

All attempts to justify this policy have fallen flat and it has become painfully obvious that this policy must be abolished entirely.

Our amendment would prohibit the Department of Defense from requiring American servicewomen in Saudi Arabia to wear the abaya and forbid DOD to spend taxpayer money to purchase the garment.

It also protects our female service members from any kind of retaliation for not wearing the abaya garment.

At a time when Afghan women are celebrating their new found liberties, it is frankly embarrassing to have a policy in place that subjects our own servicewomen to a demeaning practice.

It is time for this policy to go and I would urge my colleagues to support this amendment.

Ms. LANDRIEU. Madam President, I am pleased to join my colleagues, Senator CANTWELL of Washington, Senator SMITH of New Hampshire, and Senator GRASSLEY of Iowa, as a co-sponsor of this critical amendment to provide justice, dignity, and equal rights to our service women stationed in Saudi Arabia.

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 westerns enter Saudi Arabia, westerns 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 bases 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 has 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 SMITH to control. 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 read as follows:

The Senator from Massachusetts [Mr. KENNEDY], for himself, Mr. REED, Mr. AKAKA, Mr. FEINGOLD, and Mr. DURBIN, proposes an 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. If the Chair reminds 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 DOD contracts face real competition. As a result, we are depriving loyal and dedicated public workers of the chance even 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 challenges 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 civilian employees to private contractors. Between 1993 and 2001, the number of civilian employees at the Department of Defense declined by more than one-third. That represents the loss of 300,000 public jobs. The work has gone instead to private contractors. During a period of only 3 years, the contractor workforce expanded by almost 400 percent. The number of private contract jobs grew astoundingly, from 197,000 to 734,000 jobs—substantially surpassing the DOD's civilian workforce of public workers.

These are the same contractors who overcharge the Defense Department and taxpayers for simple tools and even toilet seats. The GAO study found that the cost of nearly 3,000 spare parts purchased by the military from private contractors increased by a 1,000 percent or more in just 1 year. One spare part estimated to cost less than $3 was sold to the Government by contractors for $14,529.

I have a list here from the GAO: A machine bolt, estimated at $40, actual price: $1,887; a hub body, estimate $35, actual price: $14,529; a self-locking nut, initial estimate $2.69, actual price: $2,185; a radio transformer, initial estimate $683, actual price: $11,000. The list goes on and on and on and on.

Surely, the DOD found that the cost of spare parts increased more than twice as fast between 1993 to 2000 when there was no competition. Do we understand that the cost of these spare parts increased dramatically over the period of time when there was no competition. Surely, we can do better.

The critical work by DOD is not subject to open, full competition. In many cases, the private contractors face no competition at all. In fact, the Associated Press reported last year that the Government bought more than half of its products without bidding or other practices to take advantage of the marketplace. As a result, current defense contractors are being unfairly shielded from competition. It is the taxpayers who are paying the price in higher costs.

In any other area of American business, these noncompetitive practices would be unacceptable. In fact, no private company would reasonably outsource jobs without a hard-headed analysis showing cost savings. Even the Department of Defense recognized that real competition has been sorely lacking.

When the inspector general looked at the Department of Defense service contract process in the year 2000, he concluded that 60 percent of service contracts suffered from ''inadequate competition.''

Despite these huge markups by private contractors, it doesn't mean their workers are being paid even a living wage. In fact, according to a study by the Economic Policy Institute, more than 1 in 10 Federal contract workers is earning poverty-level wages, and most of the firms paying these wages are defense contractors. Workers are

losing out and taxpayers are losing out from this lack of competition. Clearly, more private-public competition is needed to ensure that the taxpayers, as well as public workers, are getting a fair shake.

The record shows when there is real competition, public workers will show their strength. In fact, when Government agencies have competed for contracts, they have won the bids 60 percent of the time fair and square.

The public-private competitions that have taken place have saved an average of over 30 percent for an estimated $660 million in savings to taxpayers. That means the taxpayers save money and good workers keep their jobs.

The amendment I am offering this evening requires an analysis of the costs of maintaining work in the public sector and contracting work out to the private sector. It lays out flexible principles to guide the public-private competition process and allows DOD broad flexibility in establishing a competition consistent with these principles.

The amendment also offers wide discretion to DOD by creating a number of exemptions from the public-private competition. When national security so demands, DOD is given the power to waive public-private competition.

The PRESIDING OFFICER. The Chair informs the Senator from Massachusetts he has used 7 minutes of his time.

Mr. KENNEDY. I thank the Chair.

Mr. President, the amendment also exempts many categories of work for public-private competition, including high-tech work.

The amendment also provides a waiver to DOD for functions that must be performed urgently.

Finally, it remains in the discretion of DOD to determine which jobs may be open to public-private competition.

The principles underlying this legislation have broad support. In fact, the administration is on record for expanded public-private competition. I want to show statements that were made this past spring.

This is Angela Styles of the Office of Management and Budget:

> No one in this administration cares who wins a public-private competition. But we very much care that government service is provided by those best able to do so. Every study on public-private competition I have seen concludes that these competitions generate significant cost savings.

GAO recommendations:

> Competitions, including private competitions, have been shown to produce significant cost savings for the government, regardless of whether a public or private entity is selected.

Mr. President, why not have competition? That is what this amendment is all about. When we have not had the competition, we have seen these explosions of cost. We are just saying let the Department of Defense set up the criteria. They can exclude the matters which are of national security importance, urgent, or have some other requirements. 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 stiffener, $125, sold for $3,400; insulation, $1, sold for $3,390.

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.

The PRESIDING OFFICER. The Senator 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 this 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 to outsource Government functions. 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 year 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 also improves government 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 requirements of public-private competition. The amendment gives the Department the authority to waive public-private competition requirements when national security requires such action.

The passage of this amendment would lead to smarter and more efficient procurement policy for the Federal Government. As chairman of the Senate Armed Services Readiness Subcommittee, I will continue to work to ensure DOD procurement policies are conducted in a manner that achieves the best return on the dollar. This amendment takes important steps toward this goal.

I yield back my time, Mr. President.

The PRESIDING OFFICER. Who yields time?

AMENDMENT NO. 3969

Mr. LEVIN. Mr. President, I believe the Senator from Washington needs 5 minutes, and Senator JEFFORDS has agreed to withhold his comments until after the vote, which is very helpful. Senator SMITH has 5 minutes, and I believe Senator THOMAS wants 8 minutes.

Mr. SMITH of New Hampshire. Mr. President, I do not need 5 minutes. I yield my 5 minutes to the Senator from Washington.

Mr. LEVIN. Is the Senator from Iowa here to speak on this amendment?

Mr. GRASSLEY. No.

Mr. LEVIN. Senator REID is not in the Chamber. The agreement is we will vote at 5:45 p.m. If we provide time for those two Senators, it will be 5:40 p.m. Do we know whether there is any objection to voting at 5:50 p.m. instead of 5:45 p.m.? None.

I ask unanimous consent that Senator CANTWELL speak for 5 minutes, then Senator THOMAS speak for 7 minutes, and then we will vote at 5:50 p.m. instead of 5:45 p.m.

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

The Senator from Washington.

Ms. CANTWELL. Mr. President, I rise today in support of the Smith-Cantwell-Grassley amendment to prohibit the Department of Defense from ordering female military personnel to wear the Saudi abaya garment. Before I begin my statement, I would like to thank Senator BOB SMITH for his tremendous work on the issue.

For most of the last 8 years, officer and enlisted women who are stationed with the Joint Task Force Southwest Asia in Saudi Arabia have been required to wear the abaya when going off base, either for official duties over their uniforms or in their off duty hours. The abaya is the traditional religious garment for Saudi women, similar to the Afghan burqa.

On Tuesday, May 14, the House passed, by unanimous voice vote, its prohibition against the Department of Defense requiring or compelling U.S. female service members in Saudi Arabia to wear the abaya garment, either on or off duty. Like the House legislation, the amendment we are discussing today prohibits the Department of Defense from forcing or encouraging American servicewomen in Saudi Arabia to wear the abaya garment, restricts the Department of Defense from spending taxpayer money to purchase the garment, and protects servicewomen from retaliation should they choose not to wear the garment off base.

As a democracy, we should be at the forefront of embracing equality for all

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 communicates just 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. embassy 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 when 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 that rule impeded the military's mission.

Why these policies changed in the early 1990s is still unclear. At first, the reason was ''host nation sensitivities.'' As you may recall, although there were many restrictions on the troops during Operation Desert Storm, the relative freedom our military women enjoyed vis-à-vis the local women, prompted a demonstration by defiant Saudi women who drove their cars around Riyadh, saying, in effect, that what U.S. military women could do, Saudi women should 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 Khobar 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 other harassment by the Mutawa, the Saudi religious police. The Department of Defense states that if women do not wear the abaya, they will not blend in, thus making military personnel in Saudi Arabia targets for terrorist attack. Finally, 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 State Department 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 really important to note 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 explicitly 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 supporting changing the Department of Defense policy in Saudi Arabia that strongly encourages women 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 fight the repressive 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 ''incensed 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 values of democracy and equality abroad.

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 who we are 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 work. I understand that Americans serving 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 apparently have 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 civilian 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 Reform 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 a process was codified to help assure proper implementation of a 47-year-old Federal policy that states the Government shall not be involved in commercial activities, a policy that has been in place for a very long time, and a very clear policy, I believe, that we ought to go to the private sector for those things that can be done in the private sector that are not inherently governmental. We passed that unanimously. It is now in the process of being implemented.

The sponsor of this amendment spent most of his time talking about the Defense Department support of this proposition. I want to share a letter or two that I received. This one happens to be from the Secretary of Defense, Donald Rumsfeld:

> Dear Mr. Chairman: I am writing to express my strong opposition to the draft amendment proposed by Senator Edward Kennedy. . . . As you know, we have made a top priority of finding efficiencies and savings within the Defense Department to enable us to improve our tooth-to-tail ratio. . . . The draft Kennedy amendment would increase Department cost by requiring public-private competitions for new functions and for previously contracted work already subjected to competition. It would also adversely impact mission effectiveness by delaying contract awards for needed services.

This is very strong opposition from the Secretary of Defense.

This next letter comes from the Executive Office of the President, Office of Management and Budget Director Mitchell Daniels. He says:

> I am writing to express deep concern over the possible Kennedy amendment. . . . While agencies are embracing competition, focusing on core mission, and eliminating barriers to entering the marketplace, this amendment does the opposite. It would require the government to consider reforming noncore activities that it doesn't have the skills to do when entrepreneurs and their employees are ready, willing and able to perform.

Finally, let me share one more letter, from Assistant Secretary of Defense Powell Moore. He says:

> The Department of Defense strongly opposes an amendment to be offered by Senator Kennedy that would restrict the Department's ability to contract with the private sector. The following information sheet outlines the Department of Defense' 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-percent cost savings with no limitation, 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-percent 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 to exceed $100 million per year in addition.

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

Mr. THOMAS. He says further:

> Less efficiency: 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-chaired, 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.

I 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 legislative clerk called the roll.

Mr. REID. I announce that the Senator from Illinois (Mr. DURBIN), the Senator from Maryland (Ms. MIKULSKI), and the Senator from New Jersey (Mr. TORRICELLI) are necessarily absent.

I further announce that, if present and voting, the Senator from Illinois (Mr. DURBIN) and the Senator from Maryland (Ms. MIKULSKI) would each vote ''aye.''

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS), the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Alaska (Mr. MURKOWSKI), and the Senator from Pennsylvania (Mr. SANTORUM) are necessarily absent.

The PRESIDING OFFICER (Mr. AKAKA). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 161 Leg.]

YEAS—93

Akaka	Dodd	Lincoln
Allard	Domenici	Lott
Allen	Dorgan	Lugar
Baucus	Edwards	McCain
Bayh	Ensign	McConnell
Bennett	Enzi	Miller
Biden	Feingold	Murray
Bingaman	Feinstein	Nelson (FL)
Bond	Fitzgerald	Nelson (NE)
Boxer	Frist	Nickles
Breaux	Graham	Reed
Brownback	Gramm	Reid
Bunning	Grassley	Roberts
Burns	Gregg	Rockefeller
Byrd	Hagel	Sarbanes
Campbell	Harkin	Schumer
Cantwell	Hatch	Sessions
Carnahan	Hollings	Shelby
Carper	Hutchison	Smith (NH)
Chafee	Inhofe	Smith (OR)
Cleland	Inouye	Snowe
Clinton	Jeffords	Specter
Cochran	Johnson	Stabenow
Collins	Kennedy	Stevens
Conrad	Kerry	Thomas
Corzine	Kohl	Thompson
Craig	Kyl	Thurmond
Crapo	Landrieu	Voinovich
Daschle	Leahy	Warner
Dayton	Levin	Wellstone
DeWine	Lieberman	Wyden

NOT VOTING—7

Durbin	Mikulski	Torricelli
Helms	Murkowski	
Hutchinson	Santorum	

The amendment (No. 3969) 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. 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 colleagues from Wyoming and Arizona 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 I 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 comanager 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.

Mr. WARNER. Mr. President, with all due respect to my good friend and valued member of the Armed Services Committee, Senator KENNEDY, his amendment, in my judgment, would do very serious damage to the Department of Defense, particularly to the ability of the Department to contract quickly for essential services—the operative word being quickly. What now takes the Department weeks to contract for would take up to years if this amendment is adopted. As DOD wages a global war against terrorism, I and many others find it very hard to believe that the Senate would even consider approving such legislation.

I understand the frustrations with the current A–76 process, which governs public-private competition of existing Federal work. That is why 2 years ago, as part of the fiscal year 2001 Defense Authorization Act the Congress established the Commercial Activities Panel, under the auspices of the GAO, to review and recommend ways to fix the A–76 process. This panel recently issued its recommendations. Those recommendations should include replacing A–76—and the Presiding Officer spent a lot of time on this issue and was very much involved in the debates last year—with a process that relies on an existing Federal acquisition framework that emphasizes quality, best value, fairness, and transparency.

Let's give this initiative time to work. The legislation before us, however, would go directly counter to the recommendations of this panel—a panel comprised of members of the administration, industry, labor, and the Comptroller General of the United States, who spent almost 2 years analyzing the complexity of this subject. And now, if we, the Senate, were to adopt this amendment, and indeed it would go to conference and somehow become law—which I seriously doubt—were we to go on record at this time and adopt this amendment, we would be sort of ignoring the good work taking over 2 years by a panel, which was established by this body.

The Senate needs more time to review the issue of public-private sector competitions, in light of the recommendations of this panel. We have not yet held hearings on the recommendations which were released only last month by the Commercial Activities Panel. The Governmental Affairs Committee and the Armed Services Committee should seriously review the commission's recommendations and hear from other parties. Indeed, we could consider Senator KENNEDY's legislation as part of that review, as well as any other legislation that other Members of this body may have. To consider this issue at this time would be to preempt the work that should be and will be done by the committee.

At the appropriate time, I regret to say, I will offer a motion to table the amendment of our distinguished Senator from Massachusetts, Mr. KENNEDY. If that motion fails, I will offer my own alternative that implements the recent recommendations of the GAO Commercial Activities Panel to fix the A–76 process. I hope that will not be necessary because we should go through a series of hearings by the appropriate oversight committees.

I believe Senator THOMAS, likewise, has several other alternatives, and there may be other Members with amendments on our side. I hope we can find a way at this point in time to respectfully decline to accept the amendment of the Senator from Massachusetts.

The amendment before us would arbitrarily require the government to compete with the private sector, under the time consuming and expensive A–76 process, for the performance of commercial services—regardless of whether there are any Federal workers to perform the work. In so doing, this amendment would cripple government performance, undermine competition, exacerbate the federal human capital problem, and devastate small businesses. This amendment overturns over 50 years of bipartisan policy mandates that the government should not compete with the private sector for ''noninherently governmental'' functions.

Under this amendment, almost every new contract, contract modification, task order, renewal, or re-competition would have to undergo a lengthy public-private ''competition'' under the OMB Circular A–76—whether or not the government even has the right skills and personnel to perform the work. The private sector and many in the Federal workforce, believe the process is too expensive, too complex, and unfair to all parties. Yet this amendment would require a vast increase in A–76. DOD estimates this expansion would cost over $200 million a year, at a minimum.

By mandating A–76 competitions, this amendment would cause long delays in the performance of defense services. Compared to most modern competitive procurements, which are completed in weeks or months, A–76 competitions take a minimum of 18 months and often as long as three years or more to complete. Under the amendment, DOD would lose its critical ability to swiftly procure innovative defense and homeland security services and products necessary to prevail in the war against terrorism.

The advocates for this legislation say they have given DOD a waiver from the requirements of the bill. With over $60 billion in services contracts a year there are just too many contracts for DOD to process waivers at the Secretary of Defense or Assistant Secretary level. DOD's procurement process is already too cumbersome. We do not need another step in the process. As the top federal acquisition official, Angela Styles recently stated:

> The proposed legislation would put at risk the Federal Government's ability to acquire needed support services in both the short and long term.

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 involved services—e.g., 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 competition the savings have—according to DOD—consistently averaged 34 percent.

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) a massive diversion 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 workers 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 first came 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 better utilization 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 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 amendment 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 necessarily 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 reinventing Government 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, Forgers 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 about 7 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 in concurrence, and then we will be clear on the 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 morning, 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 the bill 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.

I thank Senator WARNER 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.

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 this evening.

Mr. President, I wish to comment a little more on this bill. It is one that I believe is very important. It is very important because it changes what we have done in the past. It changes the concepts and the principles that we have had for a very long time.

I suppose there are always different ideas about where we ought to be going in Government. I am one who believes that those activities that are not inherently governmental certainly ought to be available for the private sector and that, indeed, we ought to try to contain the size of the public sector—I think all of us would say we want to do that—and to use the competition among the private sector to get the most efficient task done for us that we possibly can.

Of course, as has been mentioned, this has been the policy of the Federal Government for a very long time. Frankly, it has not worked very well. We have not been able to find a way to identify those issues, those activities that are nongovernmental, or at least not inherently governmental, that could be contracted out. We have not gone through the system. So we finally, in 1998, passed another bill that provided for the identification of various activities. Unfortunately, there was not much done with it. The administrations were not very interested in doing that.

As has been mentioned, we now have some principles that have been put in place that will provide for a more efficient way of moving toward the concept with which I think most of us would agree, and that is we ought to do in the private sector, in the competitive sector, all those activities that are appropriate. If that is our view, then this amendment is inconsistent with that view and, indeed, makes it much more difficult for us to accomplish that.

For example, these are some of the things that were set forth by the Defense Department that they believe are difficult and that should cause us not to pass this amendment that is before us. First, it would have more requirements. The amendment would significantly increase the numbers of public-private competition by requiring each competition for new work and work already under contract without any benefit to the taxpayer or war fight. Private sector competition already provides savings and efficiencies in the work that is covered by this amendment. Certainly, costs ought to be something that we are always aware of, but as we get into this business of terrorism and all this spending that we must have, then increased costs seem to me to be even more important.

The amendment would increase costs to the Department. This is information brought forth by the Defense Department. It would increase costs to the Department by over $200 million a year. Cost for additional competitions is likely to exceed $100 million or $4,000 per position. By requiring 10-percent cost savings, with no limitation, DOD will not be able to take advantage of savings greater than $10 million but less than 10 percent. Added costs would likely exceed $100 million a year in addition to what is already there.

Less efficiency: The amendment would adversely impact mission effectiveness and efficiencies. Awarding contracts for services will be significantly delayed under the contract. The average time to conduct a public-private competition is 25 months, whereas the average time to award a competitive contract with private firms is less than half of that.

Time is important in the defense industry. We are in a time when we need to make changes quickly.

Because contractors must commit more resources to pursue public-private competitions due to longer lead times and more involved process, there would be fewer competitors on such competitions, thus limiting DOD's access. So it would result in the opposite of what we say we have been for, for a very long time, and that is more insourcing.

The amendment would foster insourcing, which would exacerbate the Federal human capital crises. We talk a lot about the military and what we are going to do and how we fulfill the numbers that are necessary. Here is an opportunity to make that even more difficult and require that we do that.

DOD does not have idle capacity available to compete for either new work or work currently being performed by contractors. If DOD were to win new work or already contracted work, hiring would have to increase significantly at a time when we are already faced with difficulties.

The Government personnel system is not nimble enough to hire or move large numbers of personnel on short notice. This is the assessment of the Department of Defense of themselves.

Having DOD personnel perform new work or work previously contracted out is not the best use of limited defense resources. Further, they say it preempts congressional intent. Well, we are the ones, of course, who ought to know that.

It has been indicated that this is supported by the U.S. Chamber of Commerce. But here is one that is kind of interesting. It is also supported by a letter from the Laborers International Union of North America. This is a labor union that is opposed to this amendment and has two pages of materials as to why they are opposed.

Then, of course, I suppose not unexpectedly, there is a letter from the Contract Services Association of America. These are the people who are involved. These are the people whom we have been seeking to give more opportunities, to make this work, than they have had in the past.

It is interesting how no more real attention has been paid to this than the number of people and organizations that have come out in opposition to the amendment. This says: Attention, Members of the U.S. Senate—and it lists national security officials and experts, about 15 of them: Secretary of Defense Donald Rumsfeld, OMB Director Mitchell Daniels, the Under Secretary of Defense, a number of admirals, a whole list of people who say this is not a good thing for us to do; organized labor, the Laborers International Union of North America, AFL–CIO; Seafarers International Union, AFL–CIO; Industrial Technical Professional Employees Union, International Union of Operating Engineers, International Brotherhood of Boilermakers, Iron

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 have indeed 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 that 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 help, and continues to.

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 be completed. 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 agreed 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 of the GAO panel. In fact, Senator KENNEDY's amendment would derail the GAO panel's 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 Kennedy 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 Democrat 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 we 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.

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

Mr. REID. We talk a lot about the national defense of this country, and rightfully so. There is something happening today in America that necessitates our attention. It deals also with the national security; that is, what are we going to do about passenger rail service in this country? That is part of the security of this country. We are dismal failures if we let this country have no passenger rail service. If there were ever an opportunity to talk about how it is important we have a good passenger rail service, it is now, during this time of terrorism.

What has happened since September 11? Passengers have boarded the Amtrak trains 47 percent more than they did before September 11. Why? Because they feel more secure in a train than in a plane.

Every place in the world where they have train service it is subsidized by the Government. It is interesting to note when Amtrak came into being in 1970 it was done so because the private sector could not make any money hauling people.

I come from Las Vegas, NV—the tourist destination, some say, of the world. Las Vegas is separated by 250 miles from Los Angeles. The two airports—Los Angeles International and McCarran Field, Las Vegas—have more people coming into them than any airport in the country—more than O'Hare. We are the sixth busiest airport as far as takeoffs and landings in America. As far as people coming into the airport each day, the only airport with more people is Los Angeles International.

The airports in Las Vegas and Los Angeles are jammed. The freeway between Los Angeles and Las Vegas is jammed, I–15. We need a passenger rail service.

What are we talking about doing? Going out of business, instead of increasing travel between Los Angeles and Las Vegas, the two busiest airports. Rather than relieve congestion, we are talking about going out of business. That is disgraceful.

Mrs. BOXER. Will the Senator yield for a question?

Mr. REID. I am happy to yield to the Senator.

Mrs. BOXER. I am very pleased my friend has raised this issue of Amtrak rail passenger service in this country, a system owned by the American people. I am glad to see one of our leaders on this issue on the floor, Senator CARPER. He and Senator BIDEN have been extraordinary on this issue.

I am here to join because a lot of people think it is just a Northeast issue. If you look at California—and we are highly impacted—in the year 2001 we had 8 million passenger trips in California related to Amtrak.

My friend is right on the issue of national security. But it is not only national security, which is huge; it is also economic security for our people.

Mr. REID. And I respond to my friend, economic security is national security.

Mrs. BOXER. Absolutely. Right now, I am very concerned about a doubledipper 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, and 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 stranded, who cannot get 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? Is it not ironic 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 year 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? 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 make a more productive society.

I appreciate the statements of the Senator from California. I see my friend from Delaware in the Chamber. He has been a leader in this field.

I appreciate their interest and support for this program that people are trying to let die. I feel so bad about that.

Mrs. BOXER. I say to my friend and my colleagues who may be listening, during wartime I remember a bumper sticker that said ''Imagine Peace.'' It was a pretty simple thing, but you really have to think what something could be.

We could really imagine this country connected by a rail system that serves all our people. What an improvement in the quality of life; what an improvement in the economy; what an improvement in air quality; what a better way for us to go when 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. We certainly have it from 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 these 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. Objection is heard.

Mr. REID. Madam President, I ask unanimous consent the Senator from Delaware be recognized to speak as in morning business.

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

AMTRAK

Mr. CARPER. Madam President, I do not believe any of the Senators who are on the floor at this time were serving in the House or the Senate when Amtrak was created. It was created in 1970 and it was created after an extended debate which found none of the private railroads in this country wanted to continue to provide passenger rail service. They wanted out of the business and they got out. They convinced the Congress and then the President, Richard Nixon, that they should be able to buy stock in this entity called Amtrak, they should turn over a lot of their rolling stock—their locomotives and their passenger cars or dining cars, the whole Northeast corridor from Washington to Boston, repair shops, train stations—to this new entity, Amtrak, to see if they could make it go as a quasi-governmental entity whereas for years the private sector had not been able to make a go of it.

Lo and behold, 32 years later Amtrak has not been able to figure out how to make money, how to make a profit doing what the private railroads could not make a profit doing in the 1970s or 1960s or the years before that; that is, carrying people.

Last Thursday here on the floor I talked a bit about all those other countries around the world that offer terrific passenger train service, whether it is Britain or France or Spain or Italy, Scandinavia or Germany—or over the other side of the world, Asian countries such as Japan, where people can go in trains that run at 200 miles an hour and can actually write on the trains and people can read your writing—something no one is able to do with mine when I ride the rails with Amtrak. They can put a cup of coffee on the table and the coffee is still like it would be on this table before me.

The reason why they have such good train service in those countries is because they make it a national priority. They believe it is in their national interest to have good passenger rail service.

Some of those countries are more densely populated than our own, but as time goes by we are becoming more densely populated, too. I said last week that some 75 percent of Americans today live within 50 miles of one of our coasts. As time goes by, we are going to become more densely populated. Those dense populations provide for a number of problems: congestion on our highways, congestion in our airports, the fouling of our air. As we all climb into our cars, trucks, and vans to go from one place to the other and then fill them up with gas, we import a lot of the oil we refine into gasoline and we end up with a huge trade deficit, about a third of which is attributable to imported oil.

Part of the reason so many of those other countries put so much of their

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 our 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 I served there as 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 announcement 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—and 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 inner-city rail transportation, and certainly in the Northeast corridor 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 affairs of this Nation. 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 don't 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 whole series 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 $50 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 the days and weeks ahead in this 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 people of the metropolitan New York 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, the Senator from 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 set to begin 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 1,800 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 have also just witnessed one of the scariest 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 around us.

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, consider this: 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—Iraq 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.

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

And Iraq 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—and I am quoting now—

> China's leaders calculate that conventionally armed ballistic missiles add a potent new dimension to Chinese military capabilities, and 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 use of nuclear-armed 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.

These developments, 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 indigenously 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 mature.

After September 11, we dare not willfully 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, that will be an area attempted to be exploited. 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 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, were to use a 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 in the middle of 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 such as 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 alone with 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 the United States 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 will 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 as much time or 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 not have done better than 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. We are very much aware that 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 need for each element to do everything 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.

Secondly, multilayered defenses 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 not going to get multiple shots. You are going to get one 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 integration and command and control 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 body. It looks just like 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 piecemeal approach, with many of the most promising technologies starved of funding and 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 renounce 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, again. President Bush also signed a treaty with Russia 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, but it seems these 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 cold war and its 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 America's prestige and commitment 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 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 recognize this new reality. This reality 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 responsible course of action to deal with that possibility is to proceed with the most robust program of missile defense development we can muster. That is what the President proposed.

The Pentagon's approach to missile defense is exactly that. It is an aggressive, forward-looking plan to provide the American people with protection against ballistic missiles at the earliest possible date. Indeed, this body overwhelmingly voted to make such a plan U.S. policy in the 1999 Missile Defense Act.

We have to fund the plan, and we can't allow those who oppose missile defense to go in and surgically remove the key components of the President's program in order to effectively defeat missile defense while at the same time arguing that they have left the program intact. It does no good to spend $5 or $6 billion on a program without a brain, on a program that can't communicate among its independent parts, and on a program that does not begin the transformational policy 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. The issue is literally that stark.

If we support the committee action, while people can claim that they still support missile defense, the reality will be that that 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 that tonight because I am not sure 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, as follows:

[From the Wall Street Journal, June 17, 2002]

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 calamity 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 goes to 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, had massive nuclear arsenals, 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.

The nuclear deterrent did not prevent all war; the conflicts in South East Asia show that. But the West's possession of a credible nuclear deterrent prevented nuclear war. It also prevented conventional war in the Alliance's most vulnerable sector—Europe. 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.

One cannot say the same with India and Pakistan. The conflicting claims on Kashmir are compounded by lack of experience in coping with the temptations offered by their own nuclear capabilities. President Clinton's attempt four years ago to persuade the hostile neighbors to relinquish their nuclear status was doomed to failure. The task of President Bush and his envoys now is both more complex and more realistic: to remind New Delhi and Islamabad that war, even a victorious conventional war, would in the long run damage their nations' interests more than a messy and unsatisfactory peace. The dangers of a nuclear escalation only make that more true.

But this crisis also holds wider lessons for us. The proliferation of weapons of mass destruction has fundamentally changed the world in which we and our children will live. India's and Pakistan's nuclear arsenals have given them the power to inflict huge destruction. But neither is a rogue state. India is a democracy. Pakistan is not, but it has a ruler who has demonstrated his willingness to side with democracies against terror. Both are basically friendly to the West.

Proliferation of WMD offers far more menacing risks when those weapons are in the hands of the West's sworn enemies. We have to assume that if those who hate us are confident that they can threaten us or our allies by this means they will do so. The threat alone could transform the West's ability to intervene in order to protect its interests or to undertake humanitarian missions. In some cases we must expect the rogue states to try to go beyond mere threat.

It is still true that any such action would be irrational. There can be no doubt that response to the use of WMD against us would be massive—probably nuclear. Yet even this awesome prospect might not deter a fanatic who cared nothing for his own country or safety. We already see such a mentality at work in the suicide bombers. At the rate at which nuclear, chemical and biological weaponry and missile technology have been proliferating we must expect that at some point these weapons will be used.

The is quite simply the greatest challenge of our times. We must rise to it.

The right strategy has been clearly enunciated by President Bush. America must speedily build a ballistic missile defense system which will afford protection against missiles launched from anywhere in the globe. The president has made progress in winning the argument for this policy. He deserves the fullest cooperation from all who stand to gain from it, including Britain.

We also have to isolate rogue states that are seeking to develop (or have developed) WMD, and eliminate the threat they pose. Sometimes this will be possible by a mixture of diplomatic sticks and carrots. Iran for example, was quite rightly classed by the president as part of the ''axis of evil.'' It has a missile program which poses a threat to

Israel's security—a threat that Iran's support for terrorism against Israel only magnifies. But this is part of a more complex picture. Iran is a theocracy which is edging toward democracy. At a certain point, the continuing growth of civil society in Iran may require its rehabilitation.

North Korea, on the other hand, is beyond reform. Diplomacy has little value. Indeed, North Korea has already been appeased too much. It is in the grip of a psychotic Stalinist regime whose rule is sustained by terror and bankrolled by those who buy its missiles. It is one of the few states that could launch an unprovoked nuclear strike. The regime must go, and I fear that it may not go peacefully.

Between Iran on the one hand and North Korea on the other, the list of rogue states will be the subject of continuing revision and debate. And in each case there will be a mix of policies appropriate to achieve our goal of removing the threat which these states pose.

That is also true of Iraq. I have detected a certain amount of wobbling about the need to remove Saddam Hussein—though not from President Bush. It is not surprising, given the hostility of many allies to this venture, that some in Washington may be having second thoughts. It is, of course, right that those who have the duty to weigh up the risks of particular courses of action should give their advice—though they would be better to direct their counsel to the president not the press. But in any case, as somebody once said, this is no time to go wobbly.

Saddam must go. His continued survival after comprehensively losing the Gulf War had done untold damage to the West's standing in a region where the only forgivable sin is weakness. His flouting of the terms on which hostilities ceased has made a laughingstock of the international community. His appalling mistreatment of his own countrymen continues unabated. It is clear to anyone willing to face reality that the only reason Saddam took the risk of refusing to submit his activities to U.N. inspectors was that he is exerting every muscle to build WMD. We do not know exactly what stage that has reached. But to allow this process to continue because the risks of action to arrest it seem too great would be foolish in the extreme.

COERCIVE MEASURES

I do not claim to know the precise balance of coercive measures required now to remove Saddam: only those with access to the best intelligence can assess that. A major deployment of ground forces as well as sustained air strikes will probably be required. And it will be essential that internal groups opposed to Saddam be mobilized and assisted. No one pretends that an equivalent of the Afghan Northern Alliance is available. But I suspect that once the aura of terror surrounding the Iraqi regime is dispelled we may be astonished by the number of opponents who come forward to help finish the job.

Finally, a warning: We should not try now to predetermine the final outcome for a post-Saddam Iraq. One of the errors in 1991 was an exaggerated fear of the possible breakup of Iraq if the measures required to topple Saddam were taken. The Kirds and Shiites have since endured years of murderous repression as a result. In great strategic questions it is possible to be too clever. We need to concentrate on what we can achieve with the instruments at hand, and then press ahead boldly with the task before us. That will be quite taxing enough.

Mr. KYL. Madam President, that terminates my remarks on the bill. May I inquire of the Chair, is it correct that at the conclusion of my remarks the Chair was prepared to put the Senate into a period of morning business?

The PRESIDING OFFICER. The Senator is correct.

The Senate is in morning business.

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 Rodeo fire. It has now 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 it is still too hot. It 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 you would ordinarily 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 an area not 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 of the fire 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—the gosant, just 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 of them was reported as saying today: If the price for that is a 500,000-acre fire with an entire town like Show Low, AZ, devastated, then so be it; that is the way it should be. That is a misreading of history and 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 hurt the great big, beautiful 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 seedlings 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 or a man-caused fire, as in this case? 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 forest, devastating everything in its path. The heat is so intense, the soil is sterilized and the waxes 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 this 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—that is to say, removing all 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 there to graze. Also, the pitch 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 devastating fires 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. Most mainstream environmentalists understand that this 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 cut trees; 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.

Think about that for a moment. Talk about a litigious society. Between 40 and 50 percent of the Forest Service budget is devoted to these administrative and legal challenges to moving forward with this management. 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 programs.

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. I have asked them and they 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. We tried to get more funding 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 this kind of management, 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 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 is down to about 30 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 Denver who hire 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 the GAO said is necessary. That is why 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 livestock, 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 help to make this right is to see it does not happen again. We can do that by implementing sound management that begins to restore our forests to the way God created them and the way they can be preserved if we will but treat them as we would treat anything that belongs to us in our own yard or in our own garden.

We would never hope to have a successful garden without ever weeding it, and there has been a parallel made of our forests to our gardens. To keep it healthy, one has to weed it every now and then. That is not unnatural. In fact, it is a very natural way of dealing with our forests.

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 President Bush is going to be flying to Arizona 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 northeast 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 35,000 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 time 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, in what 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, or good. They stem from bad 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 administraters, 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. Those 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 trouped into power with the last Administration. Senior officials adopted 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 put swathes 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 dry fuel per acre—10 times manageable 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 control and recovery costs neared $3 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 Dombeck—have both landed at the National 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 problems, 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 number of Senators 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 has already had a number this year. We also had a series last year and the year before.

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 will be plenty of damage.

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. These same people have prevailed 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 think is that our 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 do in our committees. We continue to 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 this 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 we cannot cut them 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.

The legislative clerk proceeded to call the roll.

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

The 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 is on record supporting 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 provides an advantage to the United States that must be maintained. Unfortunately, significant contractions in the commercial space launch marketplace have eroded the overall viability of the United States space launch industrial base and could jeopardize the ability of the Department of Defense to provide assured access to space in the future.

The Evolved Expendable Launch Vehicle, EELV, program is the Air Force's solution for assured access. EELV is designed to be more responsive and affordable than current launch vehicles. With EELV, the Air Force has adopted a commercial launch services approach. The DOD also shared with the contractors the investment to develop next generation launch vehicles—the Atlas V and Delta IV. In 1997, at a time when worldwide projections envisioned 70 launches per year, the Air Force decided to retain both EELV contractors rather than down selecting to a single provider. The commercial satellite marketplace, it appeared, would provide adequate sustainment for the U.S. space launch industrial base, thereby justifying the large contractor investments in EELV, and providing the DOD a more robust assured access capability for a relatively modest government investment. Since 1997, however, such launch projections have deteriorated by 65 percent. The 2002 projection envisions approximately 25 launches per year.

As the EELV program transitions from development to recurring operations, the Air Force is evaluating a range of options for sustaining the launch infrastructure and industrial base necessary to assure access to space. The key to this effort is the maintenance of two financially stable launch service providers that will keep U.S. launch providers competitive in the global market and provide backup for any technical or operational problems that may be encountered. Such a program will not fundamentally alter the projected cost savings associated with the EELV program, a 25–50 percent reduction over today's systems. The Air Force is currently negotiating with the two EELV contractors to develop an appropriate cost and risk sharing strategy for assured success.

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 him 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 believe it is time to ensure 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 Senate on an 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 enough 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.

Yet, 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 e-mail in transit and through invasions 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 assess what individual consumers 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 and confidence 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 our 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 technologies and 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.

PROMOTING 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 Education Act, 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 weeks 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 with proficient foreign language skills throughout the Federal Government, enacting S. 1799 and S. 1800 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 by promoting concentrated 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 competitive 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 importance and also provides 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 ordered to be 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 in the early 1990s, 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 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 spoke Arabic and 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 at the expense of maintaining the language skills and regional expertise of its field officers. When Baer was transferred out of Tajikistan in 1992, 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 lamenting 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 terrorists bombed the World Trade Center in February 1993, did agents go back and translate previously taped phone conversations and confiscated documents, all in Arabic, that offered vital clues to the bombings. But the FBI missed those clues because it didn't have enough translators to get through the material when 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 Service that shortages of language-qualified personnel have hindered operations in a range of areas:

The Army doesn't have enough linguists to support its current war plans or meet intelligence-gathering requirements.

Intelligence agencies lack the staff to translate and interpret thousands of technical papers that detail foreign research and development in scientific and technical areas.

Without more timely translation of Spanish conversations, the assistant 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 audiotapes and pages of written material that never have been reviewed or translated because the agency lacks qualified linguists. FBI officials told GAO the situation has hindered criminal prosecutions and limited the agency's ability to arrest and convict violent gang members.

Lack of proficiency in foreign languages among State Department personnel has hindered diplomatic readiness, resulting in ineffective representation and advocacy of U.S. interests abroad, lost exports and foreign investments, and lost opportunities combating international terrorism and drug trafficking.

POOR PLANNING

It 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 specially designated job series in the federal workforce. But tens of thousands of additional positions across government require language skills.

In January, GAO reported in ''Foreign Languages: Human Capital Approach Needed to Correct Staffing and Proficiency Shortfalls'' 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 operations at four agencies where language skills are 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 13 percent shortfall. (The Foreign Commercial Service does not have 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 some foreign language proficiency spanning 64 languages. State has acknowledged its lack of Foreign Service officers who meet language requirements, but it doesn't have reliable data to show the extent of the problem—two different agency reports put shortfalls at 50 percent and 16 percent.

The Foreign Commercial Service had significant shortfalls, 55 percent overall, in staff with the required proficiency in Mandarin-Chinese, Russian, Japanese, Indonesian, Korean and Turkish.

The FBI had 1,792 special agents with skills in 40 languages, adding tremendously to the agency's ability to interview suspects and develop connections with informants. However, the FBI does not set staffing goals for special agents with foreign language skills, making it impossible to determine shortfalls.

In many cases, the problems agencies have with hiring and keeping personnel with language skills stem from deeper management challenges. For example, budget cuts at the State Department throughout the 1990s left the Foreign Service with about 1,000 vacancies by the time Secretary of State Colin Powell took office in January 2001. ''These are positions that existed that we had no bodies to fill,'' says John Naland, president of the American Foreign Service Association. ''The people we did have had to be rushed to post. In a lot of cases language training had to be shortened or not provided at all. That's a huge problem and a legacy of the lack of 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 extra Foreign Service officers over the next three years to maintain a ''training float''—a reserve of employees assumed to be in 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 or Chinese 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 wouldn't necessarily 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, only the FBI has a staffing plan that links its foreign language program to its strategic objectives and program goals. GAO found that the FBI plan identified strategies, performance measures, responsible parties and resources the bureau needs to fill its language deficit. None of the other agencies had a comprehensive strategy for resolving shortages.

NO EASY SOLUTIONS

Military deployments in recent years have revealed shortages of personnel skilled in languages few Defense planners anticipated needing. When U.S. troops were deployed to Somalia in 1992, for instance, the Defense Department found itself desperately seeking hundreds of Somali interpreters. Many had to be recruited from the ranks of new immigrants found driving taxi cabs in New York and Washington. The current deployment to Afghanistan is presenting similar challenges. The languages of Afghanistan include Pashto, Dari, Azgari, Uzbek, Turkmen, Berberi, Aimaq and Baluchi—languages few Americans even recognize, let alone speak. The war on terrorism virtually ensures that U.S. troops will be operating in regions where language skills will be in short supply.

It's a problem that's become familiar to the faculty at the Defense Language Institute in Monterey, Calif., the largest language school in the world and the source of 85 percent of language training for government personnel, primarily Defense. Since the fall of the Berlin Wall and the end of the Cold War, U.S. military language requirements have expanded dramatically, and the DLI has responded. Unlike colleges and universities the DLI produces students with the skills the Defense Department and military services demand.

''We don't put out a class list and then hope people will enroll,'' says DLI Chancellor Ray Clifford. ''The enrollments take place first. As enrollments shift, we adjust our faculty and teaching strength.''

Last year, 2,083 students graduated from basic language training in 20 languages. Depending on the difficulty of the language, training lasts from 25 weeks to 63. In 2001, more than half of DLI students were enrolled in four of the toughest languages for Americans to learn: Arabic, Chinese-Mandarin, Korean and Persian-Farsi. (Several hundred more students completed intermediate and advanced training as well.)

Neil Granoien, a former Russian instructor and former dean of the DLI's Korean school, now oversees a special task force to provide support to Operation Enduring Freedom in Afghanistan. The DLI recently has added new courses in Pashto, Dari and Uzbek, and plans to add courses in Basha Indonesian, Urdu and Turkic languages.

There are considerable challenges in creating language courses for some of the 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 example, where there's very little work that's been done, and most of that was done in Victoria's reign.'' That's Queen Victoria, who ruled Britain from 1837 to 1901, when the British controlled much of the area that is now Afghanistan.

''We've got considerable expertise in the applied linguistics area so we're able to [develop the grammar], but it's not something that happens overnight and it's not something you pull off a shelf,'' Granoien says.

Finding enough qualified instructors is another major challenge. ''The faculty we need to find are not being produced for us by U.S. colleges and universities,'' says Clifford. Ideally, instructors will be qualified teachers 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 has found a few other instructors through contacts with South Asian relief agencies.

Once faculty are recruited and trained—the DLI has a one-month intensive training program for native speakers with little or no 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, and students completing the intensive basic program in any language receive 45 semester hours of college credit. To successfully complete the program, students must pass a battery 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 working ability), in which they can 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 hypothetical areas or be able to read 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 field program, and develops programs to meet the specific needs of military personnel in the field. Last year, the DLI provided 20,000 hours of instruction in far-flung locations, broadcast from the Monterey campus.

LONG-STANDING PROBLEMS

Most of the attention on language skills shortfalls has centered on Arabic and languages used in and around Afghanistan, but just as worrisome for Defense officials is the shortage of personnel with language and regional expertise in Asia.

In a recent study of the Defense Department's preparedness for dealing with emerging security issues in Asia, researchers at DFI International, a Washington research and consulting firm, found that language training outside the intelligence field was a low priority in the military services, mainly because of limited resources. Compounding the problem is the absence of a Defense strategy for identifying critical language requirements and providing top-down guidance to the services on meeting those needs. Instead, each service independently defines its language requirements and determines its policy for rewarding language skills with bonus pay. The payments generally are not high enough to provide troops with sufficient incentive for the difficult task of maintaining language skills. Also, most services don't differentiate between critical languages in which the services are experiencing shortages, and those more commonly spoken, such as Spanish and French.

Only the Army has embraced the concept of training regional specialists. Through its career-track Foreign Area Officer Program, officers develop regional expertise and language skills. DFI noted that the Air Force and Navy FAO programs are underdeveloped and ineffective, which is of particular concern in Asia, where those services predominate.

In its final report Sept. 30, ''Focusing the Department of Defense on Asia,'' DFI also noted that only a small percentage of regional policy positions at the U.S. Pacific Command were filled with qualified personnel. Navy and Air Force regional headquarters offices each have five ''country desk'' billets in their policy and planning directorates, but ''only one of the five incumbent officers in these billets has any regional experience or expertise.'' The Marine Corps had only a single desk officer for the entire Asia-Pacific area. ''As security challenges in the Asia-Pacific theater rise, so do intelligence requirements. However, a shortfall of properly trained analysts and Asian linguists is creating backlogs in the analysis of gathered [intelligence],'' according to the DFI report. ''China poses a particular problem: Officials at the Joint Intelligence Center Pacific noted that, even if they dedicated all of their all-source intelligence analysts to China, they would still not have enough analysts to handle China intel/analytical requirements alone.''

The shortage of language-qualified personnel in government and its harmful effects on national security are not new—nor is concern about language deficits. DLI's Clifford says the United States has a long history of ambivalence about the value of foreign languages: In 1923, the U.S. Supreme Court had to overturn laws restricting the teaching of foreign languages in 22 states. In 1940, a national report on high schools determined that ''overly academic'' programs were causing too many students to fail. The report recommended eliminating foreign language instruction. By the late 1950s, however, concern about being outpaced by the Soviet Union resulted in the 1958 National Defense Education 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 in foreign languages is 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 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 languages, few high schools offer instruction in languages beyond Spanish or French. According to 1998 survey data from the Modern Language Association, a New York-based professional group, about 8 percent of college students are enrolled in foreign language classes. And as anyone who has studied a language in high school or college knows, taking classes does not necessarily result in proficiency.

''To build the kind of expertise the government needs in intelligence and defense and economics, we have to recognize that language learning is long-term, serious, and difficult,'' David Edwards, executive director for the Joint National Committee for Languages, said at a January briefing on language and national security sponsored by the National Foreign Language Center and the National Security Education Program.

''As most other nations of the world already know, we have to begin the process in the elementary schools and continue it the whole way through graduate school if we're 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 Hasidic 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 possible bias 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 is a 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 a record with 95 Husker hitters 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.

Record numbers of fans came out to support the Huskers this year and season ticket sales soared 400 percent as the new Hawks Field at Haymarket Park in Lincoln opened.

However, all of these achievements would not be possible without teamwork. The diverse Husker team, with players from 15 different states, worked together to produce an impressive 47–21 season.

These 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. Tonight the Metropolitan Chorus will complete its 35th anniversary season with a performance at Lubber Run 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 Kennedy 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 several informal free concerts each season as a special service to the community. The chorus has also performed internationally, traveling to Italy; Sydney; Australia; New Zealand; Austria; Finland; 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 airstrip 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 Harnden, 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.

Master Sgt. Tycz's sacrifice for his country reminds us of the enormous debt of gratitude we owe all of our men and women in uniform—those who risk their lives and, in particular, those who have been lost in the defense of our country. Their courage and steadfast determination keeps America safe and our freedom strong.

We are grateful to Master Sgt. Tycz and the many 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 defeat my reason for being.'' I hope 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, millions of disabled Americans 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 spent countless days on Capitol Hill to make the ADA a reality.

In 1998, to honor his lifelong public service, President Clinton awarded Justin Dart our Nation'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 laws.'' Such tremendous 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 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 1986–1987. 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 1997–1999, 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 effort, Larry Feldman has clearly demonstrated his dedication to the Association. However, Larry has not only been dedication 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 to parents as they age. 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 lawyer and, more importantly, as a 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 due 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 visiting 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 attention. 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, young Basilone 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

received this honor and declined the opportunity to remain stateside, returning instead to the Fifth Division of the Marines. On the Nineteenth of February, 1942, Sergeant John Basilone completed his final mission at Iwo Jima.

Born in Buffalo, NY, to Salvatore and Dora Basilone, John was one of ten children. From his early days as a boxer to his final stand as a gunnery sergeant, it was evident that he possessed a unique spirit of strength, dedication, and determination. His heroism was recognized nationally with the highest military honors, and he posthumously received the Navy Cross, three bronze stars, a Purple Heart, as well as the World War II Victory Medal.

As a fellow American sharing Basilone's Italian heritage, it is my honor to celebrate the legacy of a man so committed to defending the cherished ideals of this Nation. Commemorating our Nation's heroes and veterans remains vital to keeping this country's tradition of freedom intact.●

IN HONOR OF THE 75TH BIRTHDAY OF KOOL-AID

● Mr. NELSON of Nebraska. Madam President, few childhood experiences span the generation gap as successfully as Kool-Aid. Many of today's business leaders started down the road to financial success by standing at a folding table in their front yard selling one-cent cups of refreshing Kool-Aid.

While the business of Kool-Aid now spans front yards around the globe, I am pleased to say that the very first Kool-Aid entrepreneur was a Nebraskan.

Edward Perkins had a curious young mind and at age 11 he began experimenting; transforming the back of his father's mercantile store in Hendley, NE, into a flavor factory. The early experience he gained would come in handy 27 years later in Hastings, NE, when Perkins created Kool-Aid. The delicious drink was a hit and quickly became a household name.

The story of Kool-Aid is the perfect illustration of the value of perseverance. Perkins was dedicated to his business and worked hard as an innovator for many years before finally creating the drink that would make him famous, and Hastings, famous.

Hastings celebrates Kool-Aid days with the world's largest Kool-Aid stand every August. They also show their Nebraskan hospitality by serving Kool-Aid at rest stops throughout Nebraska. There are currently 22 flavors of Kool-Aid and it is no wonder that the current best seller, Tropical Punch, has a Husker red color glow to it.

For all these reasons and many more I am proud that Kool-Aid is the official State soft drink of Nebraska and wish it a very happy 75th birthday.●

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's 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. Rebecca's future looks even 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 GEORGE CROMBIE

● Mr. SMITH of New Hampshire. Madam President, I rise 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, wastewater, solid waste, and 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.●

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 Viet Nam war.

On 29 October 1963, Captain Versace, along with First Lieutenant Nicholas Rowe, was captured in South Vietnam. Taken prisoner by the Viet Cong, he 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 upholding 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 TRIBUTE 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 friends,
he drew upon his inner self to create a force so strong
that those who sought to destroy his will, met an army
his to command.

Phrases of his I shall not forget,
spoken sincerely, filled with truth:
All I wish is to return to family, home and those I love;
For I am young and life is dear,
but to bargain for this life of mine when the price you ask
requires of me to verify a lie
and sell my honor short,
makes clear the choice between the two;
a life with honor, a life without;
With me, you see, life without honor is no life at all,
So I will not comply with what you require and choose to suffer
whatever may come.

This is my answer at this time,
this is my answer in times to come;
I only pray that I shall not weaken, for I am right
and with God's help, I will have the strength to resist whatever means you use
while attempting to fulfill your evil scheme.

Thus his fate was surely sealed,
for such a man, standing firm
defeated them on their own ground
and for him to live and tell of this
was a thing that could not be.

I saw him not the day he died,

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 died . . . 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 healthcare professionals. Mechem's service doesn't stop there, he is also a registered Maine guide and a licensed wilderness EMT.

Dennis deserves great praise for the work he does. The selfless dedication he gives to his career in serving the needs of others in their most vulnerable time is a great asset to his 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 and foresight 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 the ''New Hampshire Star of Life.'' Jennifer Shea has been chosen by her peers as someone deserving of the New Hampshire's Star of Life award.

It is the thankless service of emergency medical personnel like Jennifer 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 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. 4931. 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. 4931. 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 Activities and Programs for Countering Proliferation and NBC Terrorism''; to the Committee on Armed Services.

EC–7537. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a cumulative report on rescissions and deferrals dated June 1, 2002; transmitted jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986; to the Committees on Appropriations; the Budget; and Foreign Relations.

EC–7538. A communication from the Director, Foreign Terrorist Tracking, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Screening of Aliens and Other Designated Individuals Seeking Flight Training'' (RIN1105–AA80) received on June 12, 2002; to the Committee on the Judiciary.

EC–7539. A communication from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Administration of Engineering and Design Related Services Contract'' (RIN2125–AE45) received on June 18, 2002; to the Committee on Environment and Public Works.

EC–7540. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Montana Abandoned Mine Land Reclamation Plan'' (MT–021–FOR) received on June 17, 2002; to the Committee on Energy and Natural Resources.

EC–7541. A communication from the Secretary of the Interior, transmitting, pursuant to law, the Semiannual Report of the Office of the Inspector General for the period of October 1, 2001 through March 31, 2002; to the Committee on Governmental Affairs.

EC–7542. A communication from the Director, Office of General Counsel and Legal Policy, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled ''Technical Amendments to Qualified Trust Model Certificates Privacy and Paperwork Notices'' (RIN3209–AA00) received on June 11, 2002; to the Committee on Governmental Affairs.

EC–7543. A communication from the President, Federal Financing Bank, transmitting, pursuant to law, the Federal Financing Bank Management Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC–7544. A communication from the Acting Director, Financial Management and Assurance, General Accounting Office, transmitting, pursuant to law, a financial audit of the Congressional Award Foundation's Fiscal Years 2001 and 2000 Financial Statements; to the Committee on Governmental Affairs.

EC–7545. A communication from the Executive Director, Neighborhood Reinvestment Corporation, transmitting, pursuant to law, the Corporation's Annual Program Performance Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC–7546. A communication from the Administrator, Livestock and Seed Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Lamb Promotion, Research, and Information Program: Rules and Regulations'' (Doc. No. LS–02–05) received on June 17, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7547. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oranges, Grapefruit, Tangerines, and Tangelos

Grown in Florida; Modifying Procedures and Establishing Regulations to Limit the Volume of Small Red Seedless Grapefruit'' (Doc. No. FV01–905–1 FIR; FV01–905–2 FIR) received on June 17, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7548. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Irish Potatoes Grown in Colorado; Increase in the Minimum Size Requirement for Area No. 2'' (Doc. No. FV02–948–1 FR) received on June 17, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7549. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Explanation of Involuntary Method Change Guidance'' (Announcement 2002–37) received on June 6, 2002; to the Committee on Finance.

EC–7550. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Modification of Tax Shelter Rules III'' (RIN1545–BA62; TD9000) received on June 17, 2002; to the Committee on Finance.

EC–7551. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Request for Comments on Phased Retirement and Defined Benefit Plans'' (Notice 2002–43) received on June 17, 2002; to the Committee on Finance.

EC–7552. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, a report entitled ''The Year in Trade 2001''; to the Committee on Finance.

EC–7553. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, a report on Investigation Number TA–204–6, Certain Steel Wire Rod; to the Committee on Finance.

EC–7554. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report concerning U.S. representation in United Nations Agencies and efforts made to employ U.S. citizens during 2001; to the Committee on Foreign Relations.

EC–7555. A communication from the Deputy Secretary of State, transmitting, a report relative to financial assistance for victims of terrorism; to the Committee on Foreign Relations.

EC–7556. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Bureau of Political-Military Affairs: Amendment to the List of Proscribed Destinations'' (22 CFR Part 126) received on June 13, 2002; to the Committee on Foreign Relations.

EC–7557. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Visas: Removal of Visa and Passport Waiver for Certain Permanent Residents of Canada and Bermuda'' (22 CFR Part 21) received on June 13, 2002; to the Committee on Foreign Relations.

EC–7558. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to Nonproliferation and Disarmament Fund (NDF) activities ; to the Committee on Foreign Relations.

EC–7559. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles to India; to the Committee on Foreign Relations.

EC–7560. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revocation of Class E Surface Area at Lampoc, CA; docket no. 01–AWP–23 Direct Final Rule; Request for Comments'' ((RIN2120–AA66) (2002–0093)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7561. 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 ''Standard Instrument Approach Procedures; Miscellaneous Amendments (31); Amdt No. 3000'' ((RIN2120–AA65) (2002–0036)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7563. 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: Fokker Model F.28 Mark 0100 Series Airplanes'' ((RIN2120–AA64) (2002–0277)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7564. 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–7565. 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 Model DC 9 81, 82, 83, and 87 Series Airplanes; Model MD–8 Airplanes, and Model MD 90 30 Series Airplanes'' ((RIN2120–AA64) (2002–0279)) 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 JT8D Series Turbofan Engines'' ((RIN2120–AA64) (2002–0280)) 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: Airbus Model A330 and A340 Series Airplanes'' ((RIN2120–AA64) (2002–0281)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7568. 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: Cirrus Design Corporation Models SR20 and SR22 Airplanes'' ((RIN2120–AA64) (2002–0282)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7569. 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 AS350B, AS350BA, AS350B1, AS350B3, AS350C, AS350D, AS350D1, AS355E, AS355F, AS355F1, AS355F2, AS355N, and EC130 B4 Helicopters'' ((RIN2120–AA64) (2002–0283)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7570. 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: Honeywell International Inc., LTS101 Series Turboshaft and LTP101 Series Turboprop Engines'' ((RIN2120–AA64) (2002–0284)) 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 Model DC–9–80 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–7572. 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: Rolls Royce plc Models Tay 650–15 and 651–54 Turbofan Engines'' ((RIN2120–AA64) (2002–0258)) 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) (2002–0257)) 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: Boeing Model 747–400, 400F, 757–200, 200CB, 200PF, 767–200, 300, and 300F Series Airplanes'' ((RIN2120–AA64) (2002–0262)) received on June 18, 2002; to the Committee on Commerce, Science, and Transportation.

EC–7575. 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, 747, and 777 Series Airplanes'' ((RIN2120–AA64) (2002–0261)) 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 747 Series Airplanes'' ((RIN2120–AA64) (2002–0260)) 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) (2002–0264)) 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'' ((RIN2120–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 CF34–3A1 and –3B1 Series Turbofan Engines'' ((RIN2120–AA64) (2002–0266)) 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: General Electric Company CF 6–6, CF6–45, and CF6–50 Series Turbofan Engines'' ((RIN2120–AA64) (2002–0265)) 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 AS350BA and B2 Helicopters'' ((RIN2120–AA64) (2002–0269)) 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 GE90 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 Regulations Officer, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Certification of Safety Auditors, Safety Investigators, and Safety Inspectors; Delay of Effective Date'' ((RIN2126–AA64) (2002–003)) 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, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Revised and Clarified Hazardous Material Safety Rulemaking and 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–AI86) 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–AB48) 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. 107–170).

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

S. 1768: A bill to authorize the Secretary of the Interior to implement the Calfed Bay-Delta Program. (Rept. No. 107–171).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 308: A bill to establish the Guam War Claims Review Commission. (Rept. No. 107–172).

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. 803: 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:

S. 2452: A bill to establish the Department of National Homeland Security and the National Office for Combating Terrorism. (Rept. No. 107–175).

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. 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.

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 from, wildfires in 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 Health, Education, Labor, and Pensions.

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.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. LANDRIEU (for herself 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. 290. 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 (Ms. 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 Bring Them Home Alive Act of 2000 to provide an asylum program with regard to American Persian Gulf War POW/MIAs, and for other purposes.

S. 1877

At the request of Mr. HARKIN, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of S. 1877, 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 in violation 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 for 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. BINGAMAN), the Senator from Alabama (Mr. SESSIONS), and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. 2246, a bill to improve access to printed instructional materials used by blind or other persons with print disabilities in elementary and secondary schools, and for other purposes.

S. 2480

At the request of Mr. LEAHY, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 2480, a bill to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from state laws prohibiting the carrying of concealed handguns.

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. 2513

At the request of Mr. BIDEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2513, a bill to asses the extent of the backlog in DNA analysis of rape kit samples, and to improve investigation and prosecution of sexual assault cases with DNA evidence.

S. 2522

At the request of Mr. BINGAMAN, the name of the Senator from California (Mrs. BOXER) 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. HOLLINGS, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor 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 names 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 reauthorize the Museum and Library Services Act, and for other purposes.

S. 2648

At the request of Mr. HUTCHINSON, the names of the Senator from New Mexico (Mr. DOMENICI) and the Senator from Kentucky (Mr. BUNNING) were added as cosponsors of S. 2648, a bill to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care, and for other purposes.

S. 2649

At the request of Mr. KENNEDY, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2649, a bill to provide assistance to combat the HIV/AIDS pandemic in developing foreign countries.

S. RES. 242

At the request of Mr. SANTORUM, his name was added as a cosponsor of S. Res. 242, a resolution designating August 16, 2002, as ''National Airborne Day.''

S. RES. 270

At the request of Mr. CAMPBELL, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from South Carolina (Mr. HOLLINGS) were added as cosponsors of S. Res. 270, a resolution designating the week of October 13, 2002, through October 19, 2002, as ''National Cystic Fibrosis Awareness Week.''

S. RES. 281

At the request of Mr. LEVIN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. Res. 281, a resolution designating the week beginning August 25, 2002, as ''National Fraud Against Senior Citizens Awareness Week.''

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 intended to be proposed to S. 2514, an original bill 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.

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 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 commonsense. 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 recipients are not time-limited off of 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. The TANF program is 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 5-year time limits, we can only hope they will be able to find jobs in what is now a more difficult economy. The reality is that many states are experiencing high unemployment right now, making it extremely difficult for welfare recipients to find good paying full-time jobs. We shouldn't penalize people who are trying to transition from welfare to work just because the economy is bad. We need to continue to help these families build their skills and find employment when times are tough.

As Congress acts to reauthorize the TANF program I ask my colleagues to support legislation that will protect families transitioning from welfare to work from losing their benefits during a recession.

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. 2669

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 408(a)(7) of the Social Security Act (42 U.S.C. 608(a)(7)) is amended by adding at the end the following:

''(H) DISREGARD OF ASSISTANCE RECEIVED DURING PERIODS OF HIGH UNEMPLOYMENT.—

''(i) 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 tribe shall disregard any month in which the State is determined to be a high unemployment State for that month.

''(ii) DEFINITION OF HIGH UNEMPLOYMENT STATE.—For purposes of clause (i), a State shall be considered to be a high unemployment State for a month if it satisfies either of the following criteria:

''(I) STATE RATE OF UNEMPLOYMENT.—The average—

''(aa) 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 the lesser of 1.5 percentage points or by 50 percent over the corresponding 3-month period in either of the 2 most recent preceding fiscal years; or

''(bb) 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 all States for the period consisting of the most recent 3 months for which data for all States are published equals or exceeds 6.5 percent.

''(iii) DURATION.—A State that is considered to be a high unemployment State under clause (ii) for a month shall continue to be considered such a State until the rate that was used to meet the definition as a high unemployment State under that clause for the most recently concluded 3-month period for which data are available, falls below the level attained in the 3-month 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 Pensions.

Mr. EDWARDS. Madam President, I rise today to join with my colleague and friend, Senator MIKE DEWINE, to announce the introduction of legislation that will meaningfully improve the lives and well-being of children with disabilities and other special needs, their parents, and the child care providers who care for them.

In recent years our commitment to helping working families afford child care has grown significantly through discretionary and nondiscretionary allocations under the Child Care and Development Fund, CCDF, and the Temporary Assistance for Needy Families, TANF, program. From a total Federal outlay of $2.5 billion in 1997, spending on child care through CCDF and TANF grew to $6.5 billion in 2000. When added to state spending, total Federal and State investments in child care assistance reached $9.0 billion in 2000. This figure represents a historic commitment to affordable, high quality child care in America, and I applaud all of my colleagues, on both sides of the aisle, whose support made the current levels of child care assistance possible. But the past, as they say, is behind us, reauthorization for CCDF and TANF is looming. It is vitally important for us to understand what our federal and state investments have bought us as we undertake the difficult job of renewing this legislation.

Sadly, despite our historic Federal investments in world-class child care, the services available for too many hard-working families are neither affordable nor of very high quality. Though 1.8 million children received assistance in 1999, the Department of Health and Human Services estimated that 14.75 million children were eligible.

Let me repeat that, in 1999, a little under 13 million children were living in working families poor enough to qualify for assistance under CCDF but got no help because no funds were available. Put another way, only 12 percent of eligible children received assistance. And that 12 percent figure reflects 1999 data at the height of a historic economic expansion that is now long past. The numbers of eligible families have undoubtedly grown, our commitments have not. We need to put the full effect of what we're talking about in context. The average cost of child care in America exceeds $4,000 per year. That's often more than the cost of tuition at many of our state colleges. $4,000 per year. For the working families with kids who are eligible, whose family income falls somewhere under 85 percent of the state median income level, but who never receive assistance, how in the world do we expect them to cope? For

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.

Finally, 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—85 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 actively expanding, 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 learning is not a luxury. 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 not fair. Now imagine if 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 serve the 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 2001, ''low-income neighborhoods tend to have less overall child care supply as well as less supply for [special needs kids] than do higher-income neighborhoods.''

Finally, many child care providers require additional training and other resources necessary to deliver 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; provide higher 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 of children with disabilities or 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 better 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 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 in support of 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 childcare 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 report significant shortages in 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 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 as this year's fires continue to threaten numerous communities.

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 must occur in a 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. Community 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 a high-skill, high-wage workforce 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 Forest Service's planning, restoration projects, and follow up monitoring of restoration. At the national level, American Forests and the National Network for Forest Practitioners are important partners that are seeking 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's Forest Product Laboratory visited 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 was a barrier to increasing the number of natural resource-based economic opportunities in rural communities. New Mexico needs these stimuli in the private sector, as do communities across the West, and this legislation will help create rural economies that depend on maintaining the ecological resiliency of the National Forest System and public lands.

Finally, I want to emphasize that, because what we are talking about is new and in many ways untested, we all will need to closely monitor implementation. Everyone now agrees that past policies, such as systematically suppressing all wildfires, were misguided and contributed to the problems we face today. But how do we avoid repeating similar mistakes? Meaningful and open monitoring processes using ecological and social indicators will help to ensure that the right policies are in place for both the land and the communities.

I would like to thank all of the individuals and groups who provided data, input, and comments on earlier drafts of this bill. Senator CRAIG and I sought to ensure that this bill was a comprehensive approach to the issue and we received a lot of assistance from many communities across the country in this endeavor.

I ask unanimous consent that the text of the bill, as well as letters of support we have received for the bill, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows.

S. 2672

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

SECION 1. SHORT TITLE.

This Act may be cited as the ''Community-Based Forest an Public Lands Restoration Act''.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to create a coordinated, consistent, community-based program to restore and maintain the ecological integrity of degraded National Forest System and public lands watersheds;

(2) to ensure that restoration of degraded National Forest System and public lands recognizes variation in forest type and fire regimes, incorporates principles of community forestry, local and traditional knowledge, and conservation biology; and, where possible, uses the least intrusive methods practicable;

(3) to enable the Secretaries to assist small, rural communities to increase their capacity to restore and maintain the ecological integrity of surrounding National Forest System and public lands, and to use the by-products of such restoration in valued-added processing;

(4) to require the Secretaries to monitor ecological, social, and economic conditions based on explicit mechanisms for accountability;

(5) to authorize the Secretaries to expand partnerships and to contract with non-profit organizations, conservation groups, small and micro-businesses, cooperatives, non-Federal conservation corps, and other parties to encourage them to provide services or products that facilitate the restoration of damaged lands; and

(6) to improve communication and joint problem solving, consistent with Federal and State environmental laws, among individuals and groups who are interested in restoring the diversity and productivity of watersheds.

SEC. 3. DEFINITIONS.

As used in this Act:

(1) The term ''public lands'' has the meaning given such term in section 103(e) of the Federal Land Policy and Management Act (43 U.S.C. 1702(e)).

(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 same region where an associated restoration project, or projects, are conducted.

(6) The term ''micro-enterprise'' means a non-subsidiary business or cooperative employing 5 or fewer people.

(7) The term ''small enterprise'' means a non-subsidiary business or cooperative employing between 6 and 150 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 restorative, 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) 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 other 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 on the National Forest System and public lands.

(c)(1) MONITORING.—The Secretaries shall establish a multiparty monitoring, evaluation, and accountability 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 the 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 pursuant to this Act are meeting the purposes of the Act.

(3) 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 work crews or related partnerships with State, local, and other non-Federal conservation corps.

(d) The Secretaries shall hire additional outreach specialists, grants and agreements 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) restoration, 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, scientific 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) accessing 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-government sources, and

(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 New Mexico, Montana, northern California, 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 other 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 Resource and Technical Advisory Committees where appropriate.

(3) The Secretary of Agriculture shall provide cost-share grants, cooperative agreements, or both equaling 75 percent of each Restoration and Value-Added Center's operating costs, including business planning, not to exceed $1 million annually per center.

(4) Within 30 days of approving a grant or cooperative agreement to establish a Restoration and Value-Added Center, the Secretary shall notify the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives and identify the recipient of the grant award or cooperative agreement.

(5) After a Restoration and Value-Added Center has operated for five years, the Secretary of Agriculture shall assess the center's performance and begin to reduce, by 25 percent annually, the level of Federal funding for the center's operating costs.

(e) REPORT.—No later than five 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, assessing the Restoration and Value-Added Centers created pursuant to this section. The report shall include—

(1) descriptions of the organizations receiving assistance from the centers, including their geographic and demographic distribution,

(2) a summary of the projects the technical assistance recipients implemented, and

(3) an estimate of the number of non-profit organizations, small enterprises, micro-enterprises, or individuals assisted by the Restoration and Value-Added Centers.

SEC. 6. COMMUNITY-BASED NATIONAL FOREST SYSTEM AND PUBLIC LANDS RESTORATION.

(a) ESTABLISHMENT.—(1) Subject to paragraph (2) and notwithstanding federal procurement laws, 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 participating 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 10 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, the percentage shall increase by 10 percent each year.

(b) NOTICE OF NATIONAL FOREST SYSTEM PLAN.—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 a local newspaper 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 complexity 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) LIMITATION.—The Secretaries shall ensure that the Forest Service and Bureau of Land Management Memorandum of Understanding on the Small Business Set-Aside Programs shall not be reduced below the Small Business Administration shares prescribed in the Small Business Set-Aside Program as a result of this Act.

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 Forest Service Research Station and the Forest Product Laboratory. The purposes of the program shall be to—

(i) 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) DISSEMINATION OF RESEARCH TO COMMUNITIES.—The Secretary of Agriculture shall disseminate the applied research to rural communities, including the Restoration and Value-Added Centers, adjacent to or surrounded by National Forest System or public lands. 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.

(c) COOPERATION.—In establishing the program required pursuant to this section, the Secretary of Agriculture may partner with nonprofit organizations or community colleges.

(d) 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 Forest Service Research Stations.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

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

WALLOWA RESOURCES,
Enterprise, OR, June 20, 2002.

Hon. JEFF BINGAMAN,
Hon. LARRY CRAIG,
U.S. Senate,
Washington, DC.

DEAR SENATORS BINGAMAN AND CRAIG: The Community Based Forest and Public Lands Restoration Act that you are introducing on Monday is yet another indication of your true commitment to the health of rural communities and the ecosystems in which they reside. I applaud your foresight into the issues that forested communities are facing, not only in the West, but also in the Nation as a whole.

Wallowa Resources is a non-profit, community based organization that is focused on blending the needs of the land and community in an area where public land issues have had an incredibly negative impact on the livelihoods of people and the health of the resources. Our experience with collaboration, the need to build community capacity, and the benefit of performing adaptive management driven by monitoring have highlighted the importance of legislation that is focused on restoration of our public lands. It is imperative that restoration be performed with the economic and social well being of communities in mind. This legislation is a vehicle to address many of the most challenging concerns we face.

Thank you again for your interest and commitment to resource health and the well being of rural communities. If I can be of assistance or provide additional information, please feel free to contact me. I am eager to help in any way possible.

Sincerely,

DIANE SNYDER,
Executive Director.

WALLOWA COUNTY
BOARD OF COMMISSIONERS,
State of Oregon, June 21, 2002.

Hon. JEFF BINGAMAN,
Hon. LARRY CRAIG,
U.S. Senate,
Washington, DC.

DEAR SENATORS BINGAMAN AND CRAIG: As an elected official in Wallowa County, I struggle every day with the economic realities for public land communities in the Northwest. We continue to see high unemployment rates, high poverty levels, decreasing school enrollment, changing demographics as traditional employment opportunities dwindle. We are fortunate here in Wallowa County to have had the foresight to begin collaborative processes in the early 1990's with the creation of the Wallowa County/Nez Perce Tribe Salmon Recovery Plain.

I am proud to tell you that the remaining citizens of Wallowa County are resilient and have begun to embark on a restoration-based economy. We long for the day that many contractors will be active in the forest performing a myriad of restoration activities, valued-added processing centers will be buzzing with activity, and entrepreneurs will be financially rewarded for innovation with small diameter wood. We must retain the skilled workforce and their families and we must ensure that they have the opportunity to benefit economically for the work that they do.

Introduction of the Community Based Forest and Public Lands Restoration Act is a step toward reinvigorating rural communities and restoring health to the ecosystems in which they live. On behalf of my community and many, many others across the nation, thank you for recognizing our needs and working to address them.

I urge you to forward this legislation as expeditiously as you can and escort it through the appropriations process. Adequate funding for this legislation is critical to its success. If I can be of service in this endeavor, please feel free to call upon me.

Sincerely,

MIKE HAYWARD,
Chair.

THE WATERSHED RESEARCH AND
TRAINING CENTER,
Hayford, CA, June 20, 2002.

Hon. JEFF BINGAMAN,
Hon. LARRY CRAIG,
U.S. Senate,
Washington, DC.

DEAR SENATORS BINGAMAN AND CRAIG: I am writing to express our support for the bill you are introducing today, the Community Based Forest and Public Lands Restoration Act. There is a great need for stronger and more consistent annual investment in programs that protect, restore, and maintain public lands and resources. We applaud your bipartisan effort to develop community-based programs to meet these objectives. We are especially pleased with the focus on implementing 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.

The Watershed Center has been working with USFS/BLM partners for over 10 years to try to build the local workforce for restoration on public lands. We are ecstatic that you are providing congressional leadership for building a new vision for community stewardship and a new reality for forest restoration.

We believe your bill is an excellent vehicle for addressing some of the most challenging concerns facing resource managers and resource-dependent communities in the United States. Hazardous fuels build-up, insect-infestation, and the degradation of fish and wildlife habitat are among key concerns on the land. Collaborative projects involving communities present promising means to address these problems while building community capacity. The American public depends on public and private organizations and the workers in resource-dependent communities to do ever-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 the restoration and maintenance of our public lands ecosystems and to sustaining the rural economies dependent upon them.

We stand ready to help provide information and education regarding your bold and exciting effort.

Sincerely,

LYNN JUNGWIRTH,
Executive Director.

AMERICAN FORESTS, PEOPLE CARING
FOR TREES & FORESTS SINCE 1875,
Washington, DC, June 20, 2002.

Hon. JEFF BINGAMAN,
Hon. LARRY CRAIG,
U.S. Senate, Washington, DC.

DEAR SENATORS BINGAMAN AND CRAIG: I am writing to express our support for the bill you are introducing today, the Community Based Forest and Public Lands Restoration Act. There is a great need for stronger and more consistent annual investment in programs that protect, restore, and maintain public lands and resources. We applaud your bipartisan effort to develop community-based programs to meet these objectives. We are especially pleased with the focus on implementing 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 resource-dependent communities in the United States. Hazardous fuels build-up, insect infestation, and the degradation of fish and wildlife habitat are among key concerns on the land. Collaborative projects involving communities present promising means to address these problems while building community capacity. The American public depends on public and private organizations and the workers in resource-dependent communities to do ever-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 the restoration and maintenance of our public lands ecosystems and to sustaining the rural economies dependent upon them.

We appreciate your leadership in calling attention to the need to increase support for collaborative, community-based restoration projects. If we can be of any assistance with respect to your new bill, we stand ready to help.

Sincerely,

DEBORAH GANGLOFF,
Executive Director.

Mr. CRAIG. Madam President, today I am introducing legislation to authorize a community-based forestry program aimed at ensuring small businesses in small rural communities have the ability to participate in all land management programs that the Forest

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 put together 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 haywire with our public land's management.

For a number of years I watched the implementation of the Pacific Northwest Forest Plan. I watched to see if the community assistance funding would trickle down to the small communities and to the workers that were displaced as a result of the plan. Sadly, the evidence is that in the smaller more rural communities many of the displaced workers did not benefit from those programs.

In 2000, with the help of Senator BINGAMAN, Senator WYDEN and I introduced and passed the Secure Rural Schools and Community Self-Determination Act. This legislation includes provisions to empower rural communities to work with the federal land managers to undertake consensus-based projects designed to help meet the resource needs of the agency and to develop projects that will generate the economic activity so desperately needed in many of our small rural communities. In spite of our success Senator BINGAMAN and I knew that more had to be done.

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 and business 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 to reduce the risk of intense fires 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 workforces that have been put out of work over the last decade. This legislation will help small community and consensus-based groups who are eager to undertake work designed to improve our public lands. It will help our federal land managers reestablish 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 so we can track 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 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, Iowa, Kansas, 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.

SENATE RESOLUTION 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'HERITAGE FRANCAIS)

Mr. SMITH of New Hampshire submitted the following resolution; which was considered and agreed to:

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.

AMENDMENTS SUBMITTED AND PROPOSED

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.

SA 3967. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3968. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3969. Mr. SMITH, of New Hampshire (for himself, Ms. CANTWELL, Mr. GRASSLEY, Mr. DAYTON, Mr. REED, Mr. CRAIG, Ms. LANDRIEU, Mr. HARKIN, Mrs. BOXER, and Ms. MIKULSKI) proposed an amendment to the bill S. 2514, supra.

SA 3970. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3971. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3972. Mr. LOTT submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

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:

On page 100, between lines 3 and 4, insert the following:

SEC. 503. INCREASED GRADE FOR HEADS OF NURSE CORPS.

(a) ARMY.—Section 3069(b) of title 10, United States Code, is amended by striking ''brigadier general'' in the second sentence and inserting ''major general''.

(b) NAVY.—The first sentence of section 5150(c) of such title is amended—

(1) by inserting ''rear admiral (upper half) in the case of an officer in the Nurse Corps or'' after ''for promotion to the grade of''; and

(2) by inserting ''in the case of an officer in the Medical Service Corps'' after ''rear admiral (lower half)''.

(c) AIR FORCE.—Section 8069(b) of such title is amended by striking ''brigadier general'' in the second sentence and inserting ''major general''.

SA 3967. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E 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 1899 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; and

(2) honoring the memory of Harriet Tubman.

SA 3968. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, line 24, increase the amount by $1,000,000.

On page 13, line 15, reduce the amount by $1,000,000.

SA 3969. Mr. SMITH of New Hampshire (for himself, Ms. CANTWELL, Mr. GRASSLEY, Mr. DAYTON, Mr. REED, Mr. CRAIG, Ms. LANDRIEU, Mr. HARKIN, Mrs. BOXER, and Ms. MIKULSKI) proposed an amendment to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 125, 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.—(1) 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 components 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.

SA 3970. Mr. DURBIN 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:

[The amendment was not available for printing. It will appear in a future edition of the RECORD.]

SA 3971. Mr. BOND 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 the bill add the following new Title (and renumber accordingly):

TITLE XXXIII—NATIONAL URBAN SEARCH AND RESCUE TASK FORCE AUTHORIZATION

SEC. 3301. SHORT TITLE.

This title may be cited as the ''National Urban Search and Rescue Task Force Assistance Act of 2002''.

''SEC. 3302. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) the Federal Emergency Management Agency (FEMA) established the National Urban Search and Rescue Response System in 1989 pursuant to requirement in the Earthquakes Hazards Reduction Act of 1977 which directed FEMA to provide adequate search and rescue capacity in the event of an earthquake.

(2) once the President has issued a major disaster declaration following a request by a governor, FEMA may activate up to three task forces that are closest to the disaster and additional task forces may be activated as necessary;

(3) each task force must be able to deploy all personnel and equipment within six hours of activation and are expected to be able to sustain themselves for the first 72 hours of operations;

(4) each task force must be capable of deploying at least 62 fully trained individuals, with each position staffed three deep to ensure the availability of at least two alternatives available in reserve for each position for a total of 186 members in each task force;

(5) task forces are supported by Incident Support Teams which provide technical assistance to state and local emergency managers, coordinate the activities of multiple task forces and provide logistical support;

(6) in fiscal year 2001, FEMA provided $7,200,000 to the task forces for training and equipment, allocated according to need;

(7) in fiscal year 2001, FEMA provided some $6,000,000 for upgrading the capability of six task forces to respond to disaster resulting from the use of weapons of mass destruction, including the capacity to search and provide assistance in an environment with chemical, biological, or radiological contamination;

(8) there currently are 28 task forces throughout the United States;

(9) since the terrorist attacks of September 11, 2001, the need for fully equipped and trained task forces is obvious;

(10) by noon of September 12, 2001, eight task forces were working valiantly with the courageous New York firefighters to address the aftermath of the terrorist attacks on the World Trade Center, four task forces responded to the attacks on the Pentagon, and 25 of 28 task forces were deployed over a three-week period;

(11) each task force is currently in need of additional training and support equipment with each task force being deployed with some 80,000 lbs. of search, rescue and support equipment valued at some $1,800,000;

(12) each task force is supported by some $150,000 per year in operating costs with with needs of approximately $1,500,000 to maintain optimum operational efficiency;

(13) many task forces have inadequate transportation to ensure a timely response to disasters, including acts of terrorism;

(14) the cost of maintaining FEMA's Incident Support Teams as part of the search and rescue task forces is $5,000,000 per year;

(15) the Federal Government needs to ensure that each task force is adequately trained and equipped to perform urban search and rescue functions in all environments, including the aftermath from acts of terrorism involving weapons of mass destruction;

(16) the Federal Government needs to ensure that each task force has adequate equipment to meet all operational needs and staff support.

(17) the Federal Government needs to ensure that each task force has the capability to put two full teams in the field to meet any disaster or act of terrorism;

(18) the Federal Government needs to ensure that designated task forces have the capability to deploy internationally to provide search and rescue functions vital to our interests and those of our allies; and

(19) while these task forces were originally created for earthquake response, these highly capable task forces have an expanding and vital role in responding to acts of terrorism, including those involving weapons of mass destruction.

(b) PURPOSE.—The purpose of this act is to provide the needed funds, equipment and training to ensure that all urban search and rescue task forces have the full capability to respond to all emergency search and rescue needs arising from any disaster, including acts of terrorism involving a weapon of mass destruction.

SEC. 3303. DEFINITIONS.

For purposes of this title, the following definitions apply:

(1) The term ''Director'' shall mean the Director of the Federal Emergency Management Agency.

(2) The term ''urban search and rescue task force'' shall be any of the 28 urban search and rescue task forces currently designated by FEMA.

(3) The term ''urban search and rescue equipment'' means any equipment, determined by the Director, as necessary to respond to any emergency, designated as a disaster by the President of the United States, including any emergency for which the proximate cause is a terrorist act, including biological, nuclear/radioactive, or chemical terrorism.

SEC. 3304. ASSISTANCE.

(a) ELIGIBLE ACTIVITIES.—The Director may provide one or more grants to each urban search and rescue task force for:

(1) operational costs in excess of the funds provided under subsection (b) of this section;

(2) the cost of all needed urban search and rescue equipment;

(3) the cost of equipment needed to allow a task force to operate in an environment contaminated by weapons of mass of destruction, including chemical, biological, and nuclear/radioactive contaminants;

(4) the cost of training, including training for operating in an environment contaminated by weapons of mass destruction, including chemical, biological, and nuclear/radioactive weapons;

(5) the cost of transportation;

(6) the cost of task force expansion; and

(7) the cost of Incident Support Teams, including the cost to conduct appropriate task force readiness evaluations.

(b) COST OF OPERATIONS.—The Director shall provide not less than $1,500,000 for operational costs to each urban search and rescue task force in each fiscal year.

(c) PRIORITY FOR FUNDING.—The Director shall prioritize all funding under this section to ensure that all urban search and rescue task forces have the capacity, including all needed equipment and training, to deploy two separate task forces simultaneously from each sponsoring agency.

SEC. 3305. GRANT REQUIREMENTS.

The Director shall establish such requirements as necessary to award grants under this Act.

SEC. 3306. TECHNICAL ASSISTANCE FOR COORDINATION.

The Director may award no more than four percent of the funds appropriated for any fiscal year under section 3309 for technical assistance to allow urban search and rescue task forces to coordinate with other agencies and organizations, including career and volunteer fire departments, to meet state and local disasters, including those resulting from acts of terrorism involving the use of a weapon of mass destruction including chemical, biological, and nuclear/radioactive weapons.

SEC. 3307. ADDITIONAL TASK FORCES.

The Director is authorized to establish additional urban search and rescue teams pursuant to a finding of need. No additional urban search and rescue teams may be designated or funded until the first 28 teams are fully funded and able to deploy simultaneously two task forces from each sponsoring agency with all necessary equipment, training and transportation.

SEC. 3308. PERFORMANCE OF SERVICES.

For purpose of ensuring the effectiveness of the urban search and rescue task forces assisted under this Act, the Director may use the authority under section 306 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, as amended (42 U.S.C. 5149), to incur any additional obligations as determined necessary by the Director.

SEC. 3309. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated $160,000,000 for fiscal year 2003 of which each task force is to receive not less than $1,500,000 for operational costs (including the costs of basic search and rescue equipment), and there is authorized to be appropriated such sums as necessary for all subsequent fiscal years.

SA 3972. Mr. LOTT submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title X, add the following:

SEC. 1024. TRANSFERS OF NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES.

(a) TRANSFERS BY SALE.—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 10(a) of the Taiwan Relations Act), the KIDD class guided missile destroyers KIDD (DDG 993), CALLAGHAN (DDG 994), SCOTT (DDG 995), and CHANDLER (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 tank landing ship FREDERICK (LST 1184).

(b) CONSTRUCTION WITH OTHER TRANSFER AUTHORITY.—The authority to transfer vessels on a sale basis under paragraph (1) or (2) of subsection (a) is in addition to the authority to transfer the vessels referred to in the such paragraph under section 1011(b) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1210).

(c) REQUIREMENT FOR PROVISION IN ADVANCE IN 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 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. 2331j) and section 525 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (Public Law 105–118; 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 OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. 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, DC 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 Department 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 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 Darlene Iskra, a legislative fellow in her 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 James Clapsaddle of the Air Force, a legislative fellow in Senator CARNAHAN's office, be granted the privilege of the floor for the duration of the debate on S. 2514.

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

Mr. LEVIN. I ask unanimous consent that Pat Manners, a fellow in Senator JEFFORD's office, be given the privilege of the floor during the pendency of S. 2514.

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

Mr. KENNEDY. Mr. President, I ask unanimous consent that my military fellow, Craig Faller, 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 understand 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 the 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. 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'Heritage Francais).

There being no objection, the Senate proceeded to consider the resolution.

Mr. SMITH of New Hampshire. Madam President, today is June 24, St. Jean Baptiste Day, or St. John the Baptist Day, a day of recognition and remembrance.

Today is also 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 common 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.

EXTENSIONS OF REMARKS

TRIBUTE TO MR. DAVID CARNEVALE

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 2002

Mr. LANGEVIN. 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 unavoidably 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. TOM 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-centered 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 industrious 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 our 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 SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 2002

Mr. SHUSTER. 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, be 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 other social ills. 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 increased access to help for people outside his immediate congregation and welcomed the addition of new friends.

I would like to commend Reverend Donald C. Nolder again for his contributions, congratulate 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 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.

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—and we know it, 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 exceeded 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 subject to a universal draft. 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 itself, the wisdom of ordinary people, is what has made us great—and will make us even greater still if we follow the example, in deeds as well as words, of Harry Colmery. For it was Harry Colmery, who crafted the GI Bill of Rights in Room 570 of the Mayflower Hotel over the Christmas-New Year's holidays of 1943–1944.

In just a few short weeks—and in the little more than six months it took the Legion, Hearst newspaper reporters and editors and Congressional allies in Congress to get the Bill through the House and Senate—these men, and one woman, made modern America possible. And they did so, despite FDR, and the vociferous opposition of the nation's elite, the best and brightest of the time.

The GI Bill will turn the nation's colleges and universities into ''educational hobo jungles,'' Robert Maynard Hutchins, president of the University of Chicago, warned. The Bill will benefit ''the least qualified of the wartime generation,'' moaned James Conant, the president of Harvard, who rallied academic opposition to the Bill in Congress. And he might have prevailed. But Rep. Edith Nourse Rogers of Massachusetts was shrewd enough to use a Southern segregationist to potentially expose the proper Bostonian as a hypocrite to the improper Bostonian readers of The Boston Record-American.

That's just one improbable—but true—anecdote in a story full of improbabilities, but then, everything about the GI Bill is improbable unless you believe that democracy can sometimes, rarely but sometimes, be the best of all possible governments. And that's what makes the GI Bill truly wonderful, a story full of real wonder and authentic inspiration. For this was a bill conceived in democracy and dedicated to the proposition that those called upon to die for their country, if need be, are the best qualified to make it work, if given the opportunity.

And make the Bill work, the men and women who proudly identified themselves as GI's did. They did so despite the fact that the politically correct Pentagon advised newspaper and magazine editors that the word GI, an acronym for general or government issue is, and I quote, ''dehumanizing, demeaning and disrespectful.'' The GI Bill became the catalyst of America as an essentially middle-class society, and the seedbed of the civil rights movement as GI's built the suburbs, transformed arsenals of mass destruction into industries of mass consumption, and democratized higher education, even getting Conant to admit the GI's were ''the best students Harvard has ever had.''

There's a profound lesson here for all of us, one that transcends the pieties of the left and the banalities of the right; liberal ends are best achieved by conservative means. Capitalism can be democratic. Merit should be determined as much by actual deeds as by test scores. We live in an era of growing rather than lessening class distinctions. Those who go to the college of hard knocks can only expect hard times. And those who are the smartest graduates of the best schools experience little more than virtual reality. In these times, as in World War II, the military is the best preparatory school for life, higher education and citizenship.

Everyone profits. The $14.5 billion cost of the WWII Bill was paid by additional taxes on the increased income of the GI recipients 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, the veterans of WWII. That made possible the peaceful end in 1989 of the 20th century World War that began in 1914. Now, nine

months after the massacres of September 2001, we are engaged in a war on terror that will, undoubtedly, last at least as long as WWI and WWII, if not much of the 21st century.

Unfortunately, we didn't keep faith—as much as we should have—with the veterans of Korea and Vietnam, especially the Vietnam veterans. We didn't adequately respect their service, and sufficiently encourage their potential. But perhaps, starting with this dedication, we're beginning to learn the practical, sensible, and, yes, pragmatic lesson of the WWII bill. We owe the young men and women who are—and will be—our protectors in this long, shadowy conflict no less than a moral—and a financial—equivalent of the WWII GI Bill.

We don't just owe it to them; we owe it to ourselves.

NATIONAL SEA GRANT COLLEGE PROGRAM ACT AMENDMENTS OF 2002

SPEECH OF

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3389) to reauthorize the National Sea Grant College Program Act, and for other purposes:

Mr. LANGEVIN. Mr. Chairman, I rise in strong support of H.R. 3389, the National Sea Grant Program Act, which authorizes Sea Grant through fiscal year 2008. This legislation, which I am pleased to cosponsor, reaffirms federal support for essential marine research programs. I wish to thank the members of the Science and Resources Committees, who have collaborated to craft legislation that will encourage significant developments in marine research in the coming decade.

Sea Grant is particularly important to the state of Rhode Island, whose history and economy have been tied to the ocean since our earliest days. The University of Rhode Island, one of the premier Sea Grant institutions in the United States, has strengthened this bond by delving deeper into the ocean's complexities and enriching us with their findings. I am proud of their impressive accomplishments and will continue my efforts to vigoroulsy advocate full federal support for Sea Grant.

I am particularly pleased that the committees of jurisdiction did not move Sea Grant from the National Oceanic and Atmospheric Administration (NOAA) to the National Science Foundation (NSF), as recommended by the Bush Administration. While I have nothing but the greatest respect for the NSF's work, Sea Grant's research is noteworthy because of its immediate practical application through NOAA and other Department of Commerce agencies. URI's work in the fields of fisheries management, biotechnology, aquaculture, and marine security has helped business leaders, educators, and policy advocates when considering complicated maritime issues. Furthermore, URI's educational outreach efforts, especially in grades K–12, demonstrate Sea Grant's effectiveness not only at undertaking state-of-the-art research, but also in cultivating future generations' interest in ocean and environmental science.

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 rained 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 secured.

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 dignified veterans are Mr. Joseph Meighan, Mr. Sam DiNova, Mr. Joseph Mariano, Mr. Frank Pusatere, Mr. Adam Weasack, Mr. Nick Grinaolda and Mr. Ralph Colangione.

The brave soldiers of the gallant Appleknockers of the 105th have served their country and their fellow man with integrity and valor. In their pursuit of freedom 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 action, 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 nonpartisan 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, summaries 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 near total absence of information? Or actually make it impossible for Suddam 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 bad regime 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 courting 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 personnel would be required 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 on which to initiate military action. Mr. Ritter warned those present that remaining acquiescent in the face of the Administration's seeming determination to exceed the authority granted to go after those who attacked us, will actually hurt the president and will hurt Congress. He concluded by stating that going in to Iraq without Congressionally-granted authority would be a ''failure of American democracy.'' Those pounding the war drums loudest for an invasion of Iraq should pause for a moment and ponder what Scott Ritter is saying. Thousands of lives are at stake.

[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 forces and CIA paramilitary teams—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 be seen as embracing the president's hard-line stance on Iraq, however, almost no one in Congress has questioned why a supposedly covert operation 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 get 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 monitors. 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 ''missile experts'' and ''logistics specialists'' who frequented my inspection teams and 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 an ongoing role in the conflict in Afghanistan), these specialists had a legitimate part to play in the difficult cat-and-mouse effort to disarm Iraq. So did the teams of British radio intercept operators 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 president. 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 forces to remove Hussein, however, the Iraqis will never trust an inspection regime that has already shown itself susceptible to infiltration and manipulation by intelligence services hostile to Iraq, regardless of any assurances 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 Iraq 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 show that Iraq continues to pursue nuclear weapons aspirations?

Bush spoke ominously of an Iraqi ballistic missile threat to Europe. 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 speculative rhetoric.

Congress has seemed unwilling to challenge the Bush administration's pursuit of 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 not be 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 cohosted 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

physical size and has started to take in unincorporated 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 Carmelite Sisters of the Most Sacred Heart of Los Angeles on their 75th Jubilee.

Founded in Mexico in 1921 by Mother Luisa Josefa of the Most Blessed Sacrament, the Carmelite 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 Carmelite Sisters have provided numerous services to the Los Angeles community, especially residents of the 31st Congressional District. The Carmelite 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 Carmelite 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 recruite school board candidates responsive to the needs of classified employees and continually 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 Pubic Health Service Act to provide for Alzheimer's disease research and demonstration grants; and proposed legislation concerning global Aids.
SD–430

Judiciary
To hold hearings to examine the President's proposal for reorganizing our homeland defense infrastructure.
SD–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 European 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
Surface Transportation and Merchant Marine Subcommittee
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–342

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 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 addess weapons of mass destruction, and relevant science and technoloy, 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

Daily Digest

Highlights

House Committee ordered reported the Defense and Military Construction appropriations for fiscal year 2003.

Senate

Chamber Action

Routine Proceedings, pages S5919–S5967

Measures Introduced: Four bills and two resolutions were introduced, as follows: S. 2669–2672, and S. Res. 289–290. **Page S5956**

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. 308, to establish the Guam War Claims Review Commission. (S. Rept. No. 107–172)

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) **Page S5956**

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'Heritage Francais). **Page S5964**

National Defense Authorization Act: Senate continued consideration of S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto: **Pages S5925–40**

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. **Pages S5926–32, S5933–35**

Pending:

Kennedy Amendment No. 3918, to provide for equal competition in contracting. **Pages S5932–33, S5936–40**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Tuesday, June 25, 2002. **Page S5967**

Messages From the House: **Page S5954**

Measures Read First Time: **Page S5954**

Executive Communications: **Page S5954**

Additional Cosponsors: **Pages S5956–57**

Statements on Introduced Bills/Resolutions: **Pages S5957–64**

Additional Statements: Pages S5951–54

Amendments Submitted: Pages S5964–66

Notices of Hearings/Meetings: Page S5966

Privilege of the Floor: Page S5966

Record Votes: One record vote was taken today. (Total—161) Page S5935

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.

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. Page H3859

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 sexually explicit conduct, to prevent the use of child pornography and obscenity 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). Pages H3858–59

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Issa to act as Speaker pro tempore for today. Page H3827

Recess: The House recessed at 12:45 p.m. and reconvened at 2 p.m. Page H3828

Recess: The House recessed at 2:33 p.m. and reconvened at 6:02 p.m. Page H3833

Suspensions: The House agreed to suspend the rules and pass the following measures:

Cibola National Wildlife Refuge, California Boundary Adjustment: H.R. 3937, 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); Pages H3829–30, H3837

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); Pages H3830–31, H3837–38

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; Page H3831

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); Pages H3832–33, H3838–39

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 Pages H3833–34

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 yeas 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.''. **Pages H3834–36, H3839**

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. **Page H3840**

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of the House today and appear on pages H3837, 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)

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 Environment and Public Works: to hold oversight hearings to examine the Environmental Protection Agency Inspector General's actions with respect to the Ombudsman and S. 606, to provide additional authority to the Office of Ombudsman of the Environmental Protection Agency, 9:30 a.m., SD–406.

Committee on Foreign Relations: to hold hearings on the nomination of James Franklin Jeffrey, of Virginia, to be Ambassador to the Republic of Albania, the nomination of Michael Klosson, of Maryland, to be Ambassador to the Republic of Cyprus, the nomination of James Irvin Gadsden, of Maryland, to be Ambassador to the Republic of Iceland, and the nomination of Randolph Bell, of Virginia, for the rank of Ambassador during his tenure of service as Special Envoy for Holocaust Issues, 10:15 a.m., SD–419.

Subcommittee on Western Hemisphere, Peace Corps and Narcotics Affairs, to hold hearings on S. 2667, to amend the Peace Corps Act to promote global acceptance of the principles of international peace and nonviolent coexistence among peoples of diverse cultures and systems of government, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings on proposed legislation authorizing funds for the Office of Education Research and Improvement, Department of Education, 10 a.m., SD–430.

Subcommittee on Public Health, to hold hearings to examine the crisis in children's dental health, 2:30 p.m., SD–430.

Committee on the Judiciary: Subcommittee on Technology, Terrorism, and Government Information, to hold hearings to examine the President's proposal for reorganizing our homeland defense infrastructure, 10 a.m., SD–226.

House

Committee on Appropriations, Subcommittee on Interior, to mark up appropriations for fiscal year 2003, 10 a.m., B–308 Rayburn.

Committee on Education and the Workforce, hearing on the First Tee: Building Character Education, 4 p.m., 2175 Rayburn.

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.

Subcommittee 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 Government Reform, Subcommittee 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.

Subcommittee on Immigration, Border Security, and Claims and the Subcommittee on Crime, Terrorism, and Homeland Security, joint oversight hearing on ''The Risk to Homeland Security From Identity Fraud and Identity Theft,'' 4 p.m., 2141 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

Senate Chamber

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

House Chamber

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

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