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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, July 8, 2002, at 2 p.m.

Senate

FRIDAY, JUNE 28, 2002

The Senate met at 9:31 a.m. and was called to order by the Honorable DEBBIE STABENOW, a Senator from the State of Michigan.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious God of progress, our hearts are filled with gratitude. Thank You for answered prayer. You have been with the Senators through these intensely busy weeks. You have honored their commitment to hard work. Thank You for the legislation that has been accomplished. We praise You that You guide and provide. When we seek Your direction, goals can be set and achieved to Your glory.

Now we ask You to bless the Senators as they return to their States to work with their constituencies for the Fourth of July recess. While they enjoy a break from the pressures here in Washington, refresh them with rest, renewal, and rejuvenation. Give them quality time with their families and friends. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable DEBBIE STABENOW 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 28, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DEBBIE STABENOW, a Senator from the State of Michigan, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Ms. STABENOW 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, with Senators permitted to speak therein for up to 10 minutes each.

In my capacity as a Senator from Michigan, I suggest the absence of a quorum.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

SCHEDULE

Mr. DASCHLE. Madam President, the Senate will be in a period of morning business with Senators permitted to speak for up to 10 minutes each. I have already announced there will be no rollcall votes today. The next rollcall vote will occur on Tuesday morning, July 9.

I will use my leader time this morning; if my time exceeds the 10 minutes, I ask the time be taken off leader time.

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

ACCOUNTING REFORM AND INVESTOR PROTECTION WILL BE THE FIRST ORDER OF BUSINESS WHEN WE RETURN

Mr. DASCHLE. Madam President, our form of government rests on two pillars. One is democracy. The other is free enterprise. We are the strongest, most successful nation in the world because we have maintained the strength of both of those pillars.

We are the most durable democracy in the world because our system is constantly refreshed by new leaders and new ideas. If leaders fail, they can be voted out of office. If ideas fail, they can be either discarded or improved.

The strength of the system rests on the fact that—while not perfect—our Government is open and accountable.

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



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We have the strongest economy in the world, because our commitment to free enterprise is strengthened by a system of open markets. Those markets—fed by free-flowing, reliable financial information—channel investment into new ideas and new enterprises. Working at its best, our free enterprise system has generated durable economic growth, wealth, and opportunity that are the envy of the world.

The corruption of one of these pillars threatens the other. The weakening of either threatens our Nation.

This week's news from MCI WorldCom was the latest in a series of disclosures that have shaken confidence in American business.

Recently, we have seen Enron collapse under the weight of inflated earnings and hidden debt. We have seen Halliburton face charges of improperly recording revenue. We've seen Tyco accused of falsifying merger information, and its CEO indicted. Arthur Andersen has been convicted of obstructing justice.

The list goes on: CMS Energy, Computer Associates, Dynegy, Global Crossing, ImClone, Kmart, Lucent, MicroStrategy, Network Associates, PNC Financial Services, Qwest, Reliant Resources, and Xerox are all facing serious questions about their business practices.

This string of disclosures threatens our economy to its core. They undermine investor confidence, scare off foreign investment, and slow an already shaky recovery.

And the impact is much more than some economic abstraction. Thousands of honest, hardworking people have lost their jobs. Millions more have seen their savings, their nest eggs, and their retirements gutted.

When corporate fraud leads to corporate failure, people get hurt.

I am not arguing that the corruption we have seen is systemic. America has some of the world's most innovative executives, people of tremendous energy, skill, and integrity.

They are the vast majority of corporate executives, and they should be the most outraged about the recent news. In my own discussions with corporate leaders, that is actually the case. They are the most outraged. They resent the notion that the corruption is systemic, that the deception is pervasive, and that "everyone is doing it."

I know—and most Americans know—that everyone is not doing it.

But the growing list of corporations under question makes clear that we aren't just talking about one or two isolated cases, or rogue executives.

The problem, instead, is a "climate"—a deregulatory, permissive atmosphere that has relied too much on corporate America to police itself. It is as if the line between right and wrong, legal and illegal, acceptable and unacceptable was so little enforced that it became blurred. Bringing it back into focus—as Enron's collapse did—revealed more than a few businesses standing on the wrong side.

The evidence rolling in is now unambiguous. Self-policing is no replacement for a vigilant cop on the beat. It is time to reform and strengthen the system.

Unfortunately, the desire for reform is not to be found in the approaches taken by the White House, the House, and the SEC.

This game of corporate dominoes we are watching is a wake up call. It is time to abandon this laissez-faire attitude and take action.

For starters, we need to make sure that the laws currently on the books are enforced. The SEC and Justice Department need to do more to aggressively and consistently investigate and prosecute cases of corporate fraud.

But enforcement alone isn't enough. We are now seeing cases where the law itself doesn't stand in the way of these egregious actions.

It is time for us to reform our system of accounting and do more to protect investors.

That is exactly what the Sarbanes bill does. And that is why it will be our first order of business when we return from recess. The Sarbanes bill makes six key improvements over our current system.

First, it creates an independent audit oversight board with the authority to set standards, conduct investigations, and impose punishment if those standards aren't met.

Second, it restricts the nonaudit services that an accounting firm can provide to public companies it audits. In other words, it keeps auditors out of the business of being a company's consultant or tax advisors in addition to being its auditor—the roles that can lead to conflicts of interest.

Third, it holds CEOs and CFOs responsible for the accuracy of operating and financial reports. If it turns out that an earnings report is deliberately misstated, those executives would forfeit profits and bonuses earned after that information was released.

Fourth, if corporate insiders sell stock, those sales must be reported to the SEC within 2 days.

Fifth, it would make sure that investment banking firms that also provide investment analysis don't mix those two functions. It also protects analysts from retaliation if they make unfavorable stock recommendations.

Sixth and finally, this bill includes expanded resources for the SEC. This will help them become more thorough investigators and enforcers. I have called the SEC a toothless tiger. This bill gives the agency some teeth.

In a message to Congress calling for the creation of the Securities and Exchange Commission, President Roosevelt said he sought to "give impetus to honest dealing in securities and thereby bring back public confidence."

It is time for us to again, "give impetus to honest dealing, and bring back public confidence."

That is what this bill does. It strengthens both our democracy and our system of free enterprise.

Senator SARBANES has done a masterful job in moving it through committee with broad bipartisan support.

For the sake of America's economy, America's workers, and the two pillars on which our nation's greatness rests, I look forward to debating it when we return.

PROGRESS IN THE SENATE

Mr. DASCHLE. Madam President, from time to time I have come to the floor to discuss our progress since we became the majority as Democrats in the Senate. I wanted to talk briefly about the accomplishments during this work period and the list of items we have attempted to address over the course of the now virtually 1 year that we have been in the majority. We took over officially during the month of July of last year. Technically, we are not quite there. But for all intents and purposes, we have now completed 1 year as a majority in the Senate.

We began June with work on the supplemental appropriations bill, a key piece of legislation. That legislation passed in the Senate a couple of weeks ago.

We then moved on to terrorism insurance. We passed that bill out of the Senate with an overwhelming vote.

We passed legislation which expedites the extradition of terrorist suspects. The antiterrorism legislation passed about 10 days ago.

We increased the debt limit on an overwhelmingly bipartisan basis.

We passed the Defense authorization bill, thanks to the extraordinary leadership of our colleague from Michigan, Senator LEVIN.

I might add that all of these issues—the supplemental appropriations, the terrorism insurance bill, the antiterrorism bill, the debt limit, and the Defense authorization bill—passed with overwhelming bipartisan majorities.

I am pleased to be able to announce that because I feel quite confident that is what the American people are expecting—that we attempt to work together, and that these priorities which are certainly their priorities as well be addressed in the way that allows us to enact them into law sometime very shortly.

I will say, having done as much as we can on a bipartisan basis, that I was disappointed by our colleagues on the other side of the aisle when they objected to the passage of the hate crimes legislation. We failed to achieve the 60 votes necessary to obtain cloture on hate crimes.

For the life of me, I am troubled by that. I would think that would be a 100-to-0 vote dealing with hate crimes in this country. It is something that is pernicious, and it is something that we must address in a meaningful legislative way.

We will continue to make the effort to assure that 1 day we will pass meaningful hate crimes legislation.

I also say there was another matter that was not bipartisan. That involved the Republicans' attempt to permanently repeal the estate tax.

I am very proud of the fact that we did not do that. I think that is a good fiscal policy. It is good tax policy, and I am confident that any effort to repeal the estate tax permanently would fail in the future.

Let me hasten to add that the Democrats certainly support reform of the estate tax. We supported an increase in the overall exemption to \$7 million, and we are very appreciative of the widespread effort within our caucus and hopefully within the Congress itself to continue to work to reform the estate tax over a period of time. But blocking the permanent repeal of the estate tax saves the Treasury \$60 billion a year when it is fully implemented, \$600 billion over the course of a 10-year period of time. So we look upon this actually as an accomplishment, as we have with all of the other accomplishments during the month of June.

But I might say, as we look at accomplishments, the list has become quite significant over the course of the last 12 months.

Right after the Democrats took the majority, we passed a Patients' Bill of Rights. After the tragedy of September 11, we passed an antiterrorism use of force resolution and an immediate \$40 billion response to the terrorist attacks, the Defense and homeland security appropriations bill, and the USA Patriot Act to deal with the extraordinary challenges we have with regard to law enforcement.

We passed increased airport, border, and port security. We passed terrorism insurance. We passed additional support for the airline industry, which was really struggling after the tragedy of September 11. We passed economic stimulus and unemployment insurance legislation. We passed the campaign finance reform bill. We passed an election reform bill.

We passed 57 judicial confirmations. That is more than any recent Congress has passed in the same period of time, either Republican or Democrat, even in those cases when the Senate was of the same party as the President at that particular time.

We passed clean water and brownfields revitalization legislation. We passed a sweeping comprehensive education reform bill. We passed an energy bill. We passed a farm bill. And as I just noted, we have passed the Defense authorization bill.

I would say, as we look at this list of accomplishments, it would be hard for anyone to argue we have not accomplished a good deal in our first 12 months as members of the majority.

I look with great satisfaction, with great pride, and am very grateful to all of my colleagues for the extraordinary job they have done in working through the committees—and in most cases all of this legislation has come through

committees—to address the needs of America in public policy and the tremendous challenges we face as a nation.

We will continue to add to this growing list of accomplishments over the course of the next several months as we complete our work in the 107th Congress. Certainly, the 107th Congress has been historic for so many reasons, but I would say that when all is said and done, at the end of the session we will be able to look with great satisfaction, with great pride, and, I might say, with a certain degree of confidence that we have done what the American people have expected of us.

Passing this legislation is a recognition of what Democrats in the majority can do in the broad array of issues with which we have done it.

So I thank my colleagues. I thank all of those who are responsible for the work on these bills, especially our legislative leadership, the chairs of each committee where these bills have been produced, for the work within the committee, and certainly the management they have demonstrated on the Senate floor as these bills have been passed here on the floor and sent either to the House or to the President.

I see my colleague from Michigan on the floor. I will yield the floor at this time. But I again appreciate the work done by our caucus, and, I might say, in concert, on many occasions, with our Republican colleagues, to achieve the long list of accomplishments we have listed here.

I yield the floor.
The PRESIDING OFFICER (Mr. KENNEDY). The Senator from Michigan.

Mr. LEVIN. Mr. President, before the majority leader leaves the Chamber, let me say he is always giving credit to others for the accomplishments of this body—which have been many—and what he, in his traditional modesty, of course, does not make any reference to is his own leadership and the role of that leadership in these accomplishments. But there is not a Member of this body on either side of the aisle who does not recognize the extraordinary leadership of Senator DASCHLE. And that list is a tribute to his leadership. It obviously involves a lot of other people, as he pointed out. Nonetheless, it is his leadership that has led the way to a successful and long list of achievements so far in this Congress.

Mr. DASCHLE. Mr. President, if the Senator will yield, I am grateful for his kind words. We have always had a tremendous team effort within our caucus and within the legislative leadership of the Senate but I recognize that the workhorses are the chairs. And I am speaking to one as we stand here this morning.

I thank him for his kind words. I thank the Senator for yielding.

THE SHOOTING DEATHS OF DETROIT-AREA CHILDREN

Mr. LEVIN. Mr. President, children are being killed in our cities in record

numbers. This year, in Los Angeles, 25 have been killed. The rates are the same in Houston, New York, Chicago, and in every other city where illegal drugs are plentiful and good jobs are scarce, where access to a better life is hard but access to a gun is easy.

Parents put their children to sleep in bathtubs where they might be safer from driveby shootings. Children find guns in homes and on playgrounds, with tragic results. Drug dealers go gunning for each other and don't care who gets killed in the crossfire.

So far this year, 22 children have been wounded by gunfire in my hometown of Detroit, in the metropolitan area. Ten children have been shot and killed. Statistics alone cannot convey the extent of this ongoing tragedy. But here, briefly, are some of the sorrowful and grim stories of these children, their families, and their pain.

On February 25, Ajanee Pollard, 7 years old, was shot and killed, allegedly by a man who was upset that he had just purchased—with two counterfeit \$20 bills—a defective radio from a friend of Ajanee's uncle. Ajanee, her uncle, her mother, and three siblings were getting ready to go shopping when one of the three men charged with the murder allegedly fired shots from an M1 rifle into the car Ajanee's mother was driving.

Ajanee was a second grade student at Thomas Houghten Elementary School in northwest Detroit. Ajanee had been named Student of the Month, was a midfielder in the local youth soccer league, and enjoyed going to Bible school at Genesis Evangelical Lutheran Church.

Ajanee's 6-year-old brother Jason had to have his pancreas and part of his intestines removed from the wounds he suffered as a result of the shooting. Both of Ajanee's sisters suffered gunshot wounds to the legs, and her mother was treated for injuries as well.

On March 23, Destinee Thomas, 3 years old, was shot and killed in her home while watching Mickey Mouse cartoons. A man armed with an AK-47 riddled the house with bullets.

Two men have been arrested and charged with the murder. According to police and press reports, they had been involved in a "turf battle" with two drug dealers from a rival street gang.

On March 28, Alesia Robinson, 16 years old and a junior at Kettering High School, sat on the front porch of her home on Detroit's east side while her boyfriend played with a gun. According to police, Alesia—who wanted to become a pediatrician—asked her boyfriend to put the gun away. Instead, he pointed it at her face and pulled the trigger.

On April 3, Christopher James, 11 years old, was killed by a single gunshot wound to the head. His 12-year-old half-brother has been charged in juvenile court with manslaughter. According to family members, the two were playing with a .22 caliber revolver they had found on a playground and that the shooting was an accident.

On April 10, Brianna Caddell, 8 years old, was shot and killed while she was sleeping in her bed. Brianna, her mother Pamela Martin, and her grandmother Dorothy Caddell were fixtures at Truth Evangelical Lutheran Church.

Antoine Foote also involved in drug turf wars, was charged with her murder. According to police, he sprayed more than two dozen rounds at the house with an AK-47.

Brianna was a third grader at the John C. Marshall Elementary School. One of Brianna's classmates, Oshinique Mapp, wants to become a policewoman or doctor or teacher so she can "change the bad people." Another classmate, Jeremiah Russell, wants to go to college so he can get away from the drug dealers in his neighborhood.

On April 19, Irisha Keener, 3 years old, was shot in the head by her mother, as the two lay in bed. Her mother then committed suicide.

On April 30, Cherrel Thomas, 15 years old, was shot and killed while riding in the back seat of a Chrysler Concorde. Cherrel, by the way, was a freshman at McKenzie High School where she played trombone and baritone tuba in the school marching band and jazz ensemble. Terrill Johnson and Jesse Freeman were charged with that murder.

On May 26, Tiffany Taylor, 15 years old, was fatally shot in the head while riding in a car in Mt. Clemens with friends coming home from a roller skating party at the Great Skate Rink in Roseville. Tiffany was a freshman at Roseville Junior High School, where she was on the honor roll and led after-school programs. Police believe that someone in an abandoned house frequently used by drug dealers and addicts fired five rounds from a handgun at Tiffany as she rode by—for no apparent reason.

On June 2, DeAntoine Trammell, 10 years old, was shot and killed in his grandmother's apartment on Detroit's east side. According to eyewitnesses, the person who killed him came to the house drunk and distraught, threatened to commit suicide, then fired two shots into the kitchen wall instead. The bullets pierced the wall and went into an adjacent bedroom. Moments later, Shawn Trammell, DeAntoine's 14-year-old brother, carried his bloody body into the kitchen. The boys' mother collapsed in shock. Shawn shouted out, "Come on, Mama, come on. He's breathing!" They rushed DeAntoine to a clinic but were turned away because it is not a trauma center. DeAntoine died a day later at St. John Hospital.

DeAntoine was a fifth-grader at Bow Elementary School. His basketball team was scheduled to receive a trophy the day after he died. He loved sports, video games, cartoons, and pizza, and often helped out in the school cafeteria.

The week before DeAntoine was killed, he had been paired with Keefe Brooks, 48, a Bloomfield Hills lawyer, as part of the V.I.P. Mentors program.

According to the Detroit Free Press, Brooks wanted to show DeAntoine the possibilities life held for him. "I had hoped to expose him to successful people in the city, to help him build positive images and role models," Brooks said. "I cannot bear the thought of my match having been taken from our world before I even got to know him. I cannot bear the thought of more children being slaughtered in our city."

Gun violence is still an epidemic in our cities. A teenager today is more likely to die of a gunshot wound than of all natural causes of disease. Yet we seem incapable of requiring background checks at gun shows even though the President said he would support doing so when he campaigned in 2000. We seem incapable of requiring gun manufacturers to include trigger locks with their products even though we can regulate just about every other product under the sun. We need to pass these common-sense measures to help stanch the flow of guns and blood in our cities. But the Attorney General files briefs that undermine the enforcement of existing hand gun control laws instead.

As a Nation, we hope and pray that 14-year-old Elizabeth Smart will be returned to her home in Salt Lake City safe and sound. But as a Nation, we overlook the death of Ajanee, and Destinee, and Alesia, and Christopher, and Brianna, and Irisha, and Cherrel, and Tiffany, and DeAntoine. We haven't seen home videos of them on the evening news, but we should. Their families and friends and communities feel the anguish alone.

Is it resignation? Worse yet, is it indifference? I hope neither.

Some in Detroit have responded to the epidemic. The Detroit Police Department and the Wayne County Prosecutor have launched Project Safe Neighborhoods so that criminals who use guns will be prosecuted in federal courts. They have launched Project Destinee, which is an attempt to dismantle the two rival drug gangs whose members have been implicated in that child's murder. The city has Child Death Review Teams to learn everything possible about the murders. People are joining SOSAD, Save Our Sons And Daughters, an organization Clementine Barfield started after her son Derick was killed in 1986, and the Detroit chapter of the Million Mom March, which Shikha Hamilton runs. Other groups involved include the Neighborhood Service Organization, Youth Initiatives Project, and Pioneers for Peace.

On Saturday, May 11, a massive community forum on violence was held at Second Ebenezer Baptist Church. On May 16, a group of 350 religious leaders met at the Northwest Activity Center to kick off their Positive Youth Development Initiative, a collaborative effort among government, religious, and community leaders to help at-risk children. On June 11, Detroit Mayor Kwame Kilpatrick announced a six-point program to curb the violence.

The funerals for the slain children have become impromptu community forums and rallies where people's determination and hope have commingled with their grief and outrage.

The Poet Langston Hughes asked:

What happens to a dream deferred?
Does it dry up
Like a raisin in the sun?
Or fester like a sore—
And then run?
Does it stink like rotten meat?
Or crust and sugar over—
like a syrupy sweet?
Maybe it just sags
like a heavy load.
Or does it explode?

We have learned, sadly, that dreams deferred do explode—in gunfire. And we have seen, sadly, what happens when people don't even have the capacity or the chance to dream.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. JOHNSON). Without objection, it is so ordered.

PUBLIC COMPANY ACCOUNTING REFORM AND INVESTOR PROTECTION ACT

Ms. STABENOW. Mr. President, I rise today to speak about important legislation that we will be considering as soon as we return from the Fourth of July recess.

In February of this year, the banking committee, of which the Chair is a member—and I appreciate the opportunity to serve with him—began a series of 10 hearings touching at ways to strengthen our accounting system, protect investors, and make needed reforms at the SEC.

We all understand every day the growing need to be able to do that.

Our hearings didn't necessarily make the headlines with subpoenas sent to Ken Lay of Enron or Andrew Fastow, but the work that we did I believe was incredibly important, very thorough and very thoughtful.

Chairman SARBANES, our chairman of the committee, is to be commended for his impressive leadership and thoughtfulness and hard work on this subject. At the end of the day, it is due to his commitment to doing this carefully and due to the commitment of my colleagues on the committee who followed panel after panel of witnesses closely—from former SEC Chairs, to Paul Volcker, to consumer groups, to well-respected academics—that we now have before us a bill that will ultimately make the biggest difference for investors and for the markets. We critically need this.

In March, in the midst of our marathon of hearings, I was very pleased to join with Senator DODD and Senator

CORZINE in the introduction of the Investor Confidence in Public Accountability Act of 2002. Our bill was, I believe, a good beginning, an excellent way to begin to tackle the problems about which we were learning. It was measured. It was strong.

I thank Chairman SARBANES for including many of the provisions of our bill in the ultimate bill that has been reported to the floor of the Senate.

This is an excellent bill. We need only to look at the vote in the committee. It passed 17 to 4. It has strong bipartisan support. I hope that support will continue on the floor of the Senate as we take up this legislation in the coming weeks.

But it also has its detractors. There are some, of course, who do not like the legislation. They make outlandish comments about Government takeovers of the accounting industry. But that is not the bill for which I voted. It is not the bill for which Chairman SARBANES voted. That is not the bill for which Senator ENZI, the Senate's very own accountant, voted.

I would like to explain briefly some of the key components of this bill and why they make sense.

In this legislation, we create a strong new regulatory public oversight board to establish and enforce accounting standards, quality control, and ethics standards for public companies. The evidence indicates it is no longer enough for the industry to police itself. Few people would contest that now.

That actually has been in debate over the last several years—two different philosophies, one coming in with a new administration in the House of Representatives back in the mid-1990s. I remember debating this with former Speaker Newt Gingrich and efforts to deregulate our industries and our oversight, with the idea there would be self-regulation and oversight.

We know now that there needs to be public accountability, transparency, openness. But there needs to be public accountability if there is going to be integrity in these systems and if people are going to be willing to invest.

The oversight board we have placed in this legislation would be independently funded by fees on public companies, therefore providing us insulation from the politics of the time. It would conduct regular inspections of accounting firms. The five-member board would have two people with accounting backgrounds and a balanced approach to the board.

We also establish new restrictions on the mixing of consulting services and auditing services, which are very important. We have seen, unfortunately, specific examples of where the mixing of these two services has created devastating results for people.

There has long been a concern that auditors may be tempted to overlook some questionable accounting practices in order not to lose lucrative consulting contracts from the companies they audit. This bill seeks to address

that problem without simply banning all consulting services. I think it is an important and reasonable and balanced approach.

Some services would be banned—bookkeeping, financial systems design, investment advice, human resources consulting—while others would have to be approved by the company's audit committee, such as tax services.

Of course, auditing companies would be able to offer any consulting services to a company they were not presently auditing.

We also ensure auditor independence, which is so critical.

Another concern raised in our 10 hearings was that sometimes, over time, auditors develop too cozy a relationship with the companies they audit. They become less critical and more accommodating. We addressed this in the bill we reported from committee.

The bill before us simply says that accounting firms would be required to rotate the leading auditor and review partners of an audit after 5 consecutive years of auditing a public company. It does not force companies to find a new auditor, it just simply requires a rotation of the auditor. Some have feared that this would be too extreme, and the bill is sensitive to those concerns. But we believe it is important that we ensure auditor independence.

Our bill also sets up an internal corporate whistleblower mechanism. This is one particular component of the bill about which I am especially pleased. The bill includes an amendment I offered regarding establishing corporate whistleblower mechanisms. I want to ensure that the audit committees of public companies establish a way for confidential, anonymous submissions of statements by employees regarding questionable accounting procedures.

With Enron and other scandals, people in the company knew there were problems but had nowhere to turn. They were trapped in a corporate culture which squashed dissent. My amendment guarantees that there will be a designated way to report problems to people who are in a position to do something about it, and it seeks to protect those employees who are simply acting in the best interests of their companies and their companies' investors.

I am glad to say that not only do I have the support of such people as my chairman but others, such as the Financial Services Roundtable, have weighed in to support this very important amendment.

Guarantees of new levels of corporate responsibility are also an important part of this legislation. A key component of the bill I am pleased to support is the new level of corporate responsibility required under this bill.

Under the bill that will be before us, audit committees must now be completely independent of management and will be responsible for the appointment, compensation, and oversight of

the auditors. The bill also ensures that during a blackout period, when companies are prohibited from selling stock, corporate leaders will also be barred from trading the stock.

Perhaps most significantly of all, this Congress has an opportunity to tell CEOs and CFOs that they must certify the accuracy of financial reports and will have to forfeit bonuses up to 12 months after an earnings misstatement which was brought about by material noncompliance with securities laws.

This is essential. We have had too many corporate leaders walk away from companies they have destroyed, with tens—and sometimes hundreds—of millions of dollars in their pocket while their employees find their pensions drained, their jobs gone, and their dreams destroyed.

This is a strong, comprehensive bill. It does not include every reform that we need, but I would like to take a moment to highlight another piece of legislation that I hope we will incorporate into the bill in its final passage. That is Senator LEAHY's Corporate and Criminal Fraud Accountability Act.

I am proud, also, to be a cosponsor of this important legislation because I think it is a very sound bill and gets to some of the serious reforms that corporate America needs to face. Among other things, it makes it a crime to destroy or conceal records with the intent to obstruct or influence a Federal investigation, such as an SEC examination into accounting malfeasance.

It also amends our Federal bankruptcy law to make penalties relating to the violation of certain Federal and State securities laws nondischargeable.

I am very happy to say the bill provides legal protections again for corporate whistleblowers, employees who report to regulators or Congress or their supervisors. I believe all of these provisions are important and will improve accountability for our country.

Prior to the committee vote on this bill, there was an emerging theme in the media that momentum was fading for strong reform. Powerful special interests, a few congressional opponents of reform were winning, it seemed. But all of that has changed. Unfortunately, the scandals we have seen emerging have reminded us once again of the importance to act. We have seen the stunning revelation regarding WorldCom and the billions of dollars of earnings misrepresented, the 17,000 jobs that will be lost; 17,000 people who did nothing wrong—they got up every day, they went to work, they did their jobs, they worked hard—now are suffering the consequences of a few people at the top who thought it better to cook the books than to represent their employees and their investors.

All of this, of course, came on the heels of Enron and Global Crossing and Tyco and Adelphia and Xerox. We need now only to look to the ongoing weaknesses in our capital markets to see why the 17-to-4 vote in our committee should not have been so surprising.

Investors are concerned. They are angry, and rightfully so. They wonder, can I trust the information companies are giving to me? How do we know if our stocks are valued appropriately? Which company is next?

What we are doing in the Senate is wrong less than trying to ensure the long-term viability of our capitalist system. We have a system that is the strongest and the best in the world, but something is broken. We need to act. A corporate culture of earnings mismanagement and gamesmanship, unfortunately, has prevailed in some quarters. It is casting a pall over too many other publicly traded companies. That is not right, and it has to stop.

We know the majority of companies have integrity. They are doing the right thing. They are providing accurate information. Our corporate leaders who are acting responsibly are the most concerned about what is happening. Too many honest, hard-working people at good, solid companies are indirectly suffering due to the malfeasance of a few greedy people.

As we move ahead, I look forward to working with my colleagues on both sides of the aisle, and with our Presiding Officer, to make sure what we did in committee can be done on the floor, and as quickly as possible.

Republicans such as the Senator from Wyoming, MIKE ENZI, have shown true leadership in joining with the chairman and 15 others on the committee. This is the first step. We need a strong, good debate on this bill and an overwhelming vote to send a message to investors, to pension holders, to hard-working employees and companies everywhere, to those corporate executives who are working hard and doing the right thing, that we are united and that we are serious about making sure their interests are protected. We will still have to reconcile this with a much, unfortunately, more modest version passed in the House, and we will have to send it to the President.

I hope the President will join us in the strongest possible bill. It is incredibly important that we help bring back the integrity and confidence so important in our markets. We are the greatest country in the world. We have had the greatest capitalist system, but there are serious problems today and serious questions. We have the responsibility to act in a way that will stabilize the economy, give investors confidence, let employees know that their pensions will be protected and their hard work will be recognized for the future, and that we will do the kinds of things that will allow us to continue the strongest economy in the world.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. NELSON of Nebraska). Without objection, it is so ordered.

Mr. BYRD. Mr. President, is the Senate conducting morning business at this point?

The PRESIDING OFFICER. That is correct.

Mr. BYRD. Are Senators permitted to speak therein?

The PRESIDING OFFICER. They are, for up to 10 minutes each.

Mr. BYRD. I thank the Chair. I ask unanimous consent that I may speak as long as I may desire.

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

CONNECTING THE DOTS ON IRAQ

Mr. BYRD. Mr. President, over the last several weeks, a number of revelations have surfaced about how our intelligence agencies failed to analyze and connect the pieces of information that they obtained. According to these news accounts, while the September 11 attacks were a shock to the American people, they may not have been a total surprise to the intelligence arms of our Government.

While there is no smoking gun to indicate that the FBI, the CIA, or anyone else or any other agency knew the totality of the September 11 plot before it was carried out, it now seems fairly clear that there were known pieces of information, which, if thoroughly and properly analyzed, could have put our Government on a higher state of alert for a major terrorist attack upon the United States.

President Bush himself has acknowledged that our intelligence agencies were not connecting the dots that would have prepared our homeland for a devastating act of terrorism. In partial response, the President has proposed the creation of a Department of Homeland Security with a new bureau that is intended to sort through the intelligence reports and hopefully connect the dots that are sometimes overlooked or unappreciated by the FBI and/or CIA. The proposal has some merit. However, I am troubled with the manner in which this and other proposals are being crafted by the administration. Shrouded often in ambiguity and cloaked often in deep secrecy, this administration continues suddenly to sometimes unexpectedly drop its decisions upon the public and Congress, and then expect obedient approval without question, without debate, and without opposition.

The Senate is not like that. We scrutinize, we debate, we ask questions.

For months, the President has been sending signals that U.S. efforts to topple Saddam Hussein's regime in Iraq will involve direct military action. In his State of the Union address on January 29, 2002, the President listed Iraq as a member of an "axis of evil" that seeks to attack the United States with acts of terrorism and weapons of mass destruction. The President punctuated

his bold words with a warning that he "will not wait on events, while dangers gather," and that "the United States of America will not permit the world's most dangerous regimes to threaten us with the world's most destructive weapons."

That is saber rattling. This saber rattling prompted many questions for the American public, for Members of Congress, and for our allies. The question being: Will we invade Iraq? When will it happen? Will the United States go it alone? These are some of the questions.

On February 12, 2002, during a Budget Committee hearing, I questioned the Secretary of State about the administration's designs on Iraq. Unfortunately, the answers I got were not sufficiently clear to put to rest my questions. Secretary of State Powell stated that the President had "made no decisions about war."

Now, Mr. President, when I was in a two-room school in Algonquin, WV, in 1923, I could read through that answer. That should not require the mind of a genius to interpret.

Secretary Powell stated that the President had "made no decisions about war." So my question remained unanswered.

The Secretary, for whom I have a great deal of respect and with whom I have been associated for many years in several difficult decisions that have arisen over those years, the Secretary of State also stated that he—meaning the President—"has no plan on his desk right now to begin a war with any nation."

I go back to that two-room schoolhouse in Algonquin in southern West Virginia. I can figure that out. That is not answering the question. Everybody knew it. The Secretary of State knew it. He did not intend to answer that question. While I have a great deal of respect for Secretary Powell, his answers provided more in the way of qualifications and confusion than in the pursuance of clarity.

Earlier this month, President Bush added another dimension to our national security policy. On June 1, 2002, he addressed the cadets at West Point on the progress of the war on terrorism. In his remarks, the President argued that deterrence and containment by themselves are not enough to fight terrorism. He said, "In the world we have entered, the only path to safety is the path of action." And he urged Americans "to be ready for preemptive action when necessary."

In order to be ready for such action, the President said that the U.S. military "must be ready to strike at a moment's notice in any dark corner of the world."

According to a Washington Post article on June 10, the National Security Council is drafting a new defense doctrine to emphasize the use of preemptive attacks against terrorists and rogue nations. According to this article, the Department of Defense is also now studying how to launch "no warning" raids using a "Joint Stealth Task

Force" that includes aircraft, ground troops, and submarines.

Mr. President, these "no warning" raids will be a devastating application of military force from the air, the ground, and the sea.

On Sunday, June 16, the Washington Post followed up on its reports about this new national security strategy with an article entitled, "President Broadens Anti-Hussein Order." According to this article:

President Bush earlier this year signed an intelligence order directing the CIA to undertake a comprehensive, covert program to topple Saddam Hussein, including authority to use lethal force to capture the Iraqi president, according to informed sources.

The Post article continued:

One source said that the CIA covert action should be viewed largely as preparatory to a military strike.

It then discussed the difficulties involved in carrying out an attack on Iraq, including the large number of U.S. forces that would be required, the size of the Iraqi military, and the contentious relationships between Iraqi opposition groups and the United States.

So what we have is a lot of dots—a dot here, a dot there—about what the foreign policy of the United States is; a dot here, a dot there about what military action our Government might pursue.

I am constrained to ask, Is this a way to run a constitutional government? Is this a way to lead in a Republic? I hear so many of our Senators talk about this "democracy." This is not a democracy.

I ask unanimous consent to have printed at the conclusion of my remarks certain excerpts from SA No. 10 and SA No. 14 of the essays by Jay and Madison and Hamilton, the Federalist essays.

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

(See exhibit 1.)

Mr. BYRD. Senators for themselves can, once again, if they ever have read, read what Madison says about a democracy and what he says about a republic. In those two essays, Senators will find the distinction between a democracy and a republic. I believe this should be required reading on the part of all Senators and all other public officials, essay No. 10 and essay No. 14 by Madison. If Senators want to know the difference between a democracy and a republic, turn to those two essays. Madison is quite clear in the difference.

Saddam Hussein has now had 11 years since the end of the gulf war to rebuild his war machine. New military action against Iraq would be costly in terms of national treasure and blood. It is exactly because of these kinds of considerations that the Constitution vests in Congress the authority to declare war, and the responsibility to finance military action.

We have heard Members of the Senate on both sides of the aisle express their support for military operations against Iraq. The case has yet to be argued, at least in any serious detail, or in open debate before the people. Bold

talk of chasing down evildoers, stirring patriotic words, expressions of support for our men and women in uniform, these all have an important place in our national life, but the American people deserve to hear why we need to be an aggressor, why we need to risk the lives of their sons and daughters, why we need to take preemptive action against Iraq.

Now, perhaps we should do so. I am not saying we should not, but I am saying that Congress needs to know about this, and the American people need to have more than just patriotic expressions with visual backup, assemblies and/or words.

If it is the President's intent to oust Saddam Hussein, he would be well advised to obtain the support of the American people, and that would involve seeking congressional authorization to use military force.

I very well understand there are some military actions that we must take on virtually a moment's notice in the interest of protecting this Nation and its people, and the Commander in Chief has that inherent authority under the Constitution. But there comes a time when the Commander in Chief still needs to level with the American people and Congress.

We saw what happened in the case of the war in Vietnam when the support of the people back home declined, when the support of the American people began to go away from pursuing the Vietnam war. That support of the American people is necessary, and that support is expressed in many cases by their elected Representatives in both Houses of Congress. Yet this administration persists in an unwise and dangerous effort to keep the public largely in the dark.

I have to repeat to the administration time and time again, the legislative branch is not a subordinate body. It is not a subordinate department. It is not subordinate to the executive branch. It is an equal branch of the Government. So I think the administration, in embracing secrecy so much and so deliberately, is acting unwisely. It makes no sense. It is dangerous.

We have all seen the folly of military missions launched and maintained without sufficient support of the people. Time and again history has demonstrated that in a democratic republic such as the United States, the sustained support of the people is essential for the success of any long-term military mission.

I recall all too well the nightmare of Vietnam. I remember all too well how Congress, without sufficient information and debate, approved military action in that conflict. I recall all too well the antiwar protests, the demonstrations, the campus riots, the tragic deaths at Kent State, as well as the resignation of a President and a Vice President. I remember all too well the gruesome daily body counts in Vietnam.

The United States was a deeply divided country, and I would say we better read the Constitution more than we

read the polls, instead of vice versa—reading the polls first and last and the Constitution somewhere in between.

I recall all too well the words of Senator Ernest Gruening of Alaska, who was sworn in in the same class which I was sworn, 1958. He was one of the two Senators who voted against the Gulf of Tonkin resolution that gave the President the authority to take military action in Vietnam. Senator Gruening said this:

By long and established practice, the Executive conducts the Nation's foreign policy. But the Constitution and particularly, by constitutional mandate, the Senate has the right and the duty in these premises to advise and consent. Especially is this true when it is specifically called upon by the Executive . . . for its participation in momentous decisions of foreign policy.

I recall all too well the words of the other Senator who voted against the Tonkin Gulf resolution. In urging Congress to investigate and hold hearings before endorsing the President's plan, Senator Wayne Morse of Oregon expressed his concern that the Pentagon and the executive branch were perpetrating a "snow job" upon Congress and the American people. If the Senate approved the Tonkin Gulf resolution, Senator Morse warned that "Senators who vote for it will live to regret it." I was one of those who voted for it, and thanks to the good Lord, I am still living. I am the last of that class of 1958. I regret that vote on the Tonkin Gulf resolution. I wish I had had the foresight to vote against it, as did Senators Morse and Gruening.

I am determined to do everything I can to prevent this country from becoming involved in another Vietnam nightmare. This determination begins with Congress being fully and sufficiently informed on the undertakings of our Government, especially if it involves a commitment to military action.

We have to depend upon the leadership of the Senate and both sides of the aisle to insist that the Senate be informed. We also have to depend on the leadership of the other body on both sides of the aisle to insist on these things. We represent the American people. They send us here. No President sends me here. No President can send me home. No President sends the distinguished Senator from Nebraska here. No President can send him home. He comes here by virtue of the people of his State. They vote to send him, and he is here to represent them. He is not here to represent a President.

I realize, as our Founding Fathers realized, that in a government of separated powers, one branch of government has to be able to act swiftly and unilaterally at times. Of course, that is the executive branch. In this age of terrorism and weapons of mass destruction, these abilities are needed more than ever. We all know that.

But I also realize, as did our Founding Fathers, the need for another

branch, this branch, the legislative branch, to be able to put the brakes on the executive branch. Those brakes include investigation, hearings, debate, votes, and the power of the purse. That is the greatest raw power, may I say to the pages on both sides of the aisle; the power of the purse is the greatest raw power in this Government—the greatest. Cicero said, “There is no fortress so strong that money cannot take it.” Remember that. There is a new book out on Cicero; I must get it. I have heard about it. Remember, I say to these bright young pages—some of them will be Senators one day—Cicero said, “There is no fortress so strong that money cannot take it.” He was right.

So, I have heard a lot of talk about the need for this country to speak with one voice on matters of war and peace. Debate on such important issues, say these people, might reveal differences in views on how we ought to act. Our opponents would revel in our discord and the President would lose credibility as he went toe to toe with our enemies. It is as though some think that Congress is an impediment to the interests of this country.

I am sure the executive branch believes quite strongly from time to time that Congress is an impediment. But we still have the Constitution. Thank God for the Constitution. I hold it in my hand, the Constitution of the United States. And also in this little booklet is the Declaration of Independence. I will refer to that a little later. Here is that Constitution. Thank God for the Constitution. The legislative branch can always turn to this Constitution. That anchor holds. There is an old hymn, “The Anchor Holds.” Well, this is the anchor, the Constitution which I hold in my hand. This is the anchor. It holds.

I don't think debate is a weakness. Debate is our strength. Debate shows that we are a nation of laws, not of men. It shows that no man, no king—we do not have a king in this country. We have some people who are apparently monarchists. I think we have some in this Chamber who are sometimes monarchists when it comes to voting. They want to support the executive branch. The executive branch will take care of itself. Remember that, may I say to the young pages.

There are three branches of Government: The judicial branch—it will always uphold the prerogatives of the judicial branch, the executive branch—it will always uphold the prerogatives of the executive branch, and grab for more; but it is here in the legislative branch that sometimes half, or a large portion, of the membership does not speak for the prerogatives of the legislative branch under this Constitution; they speak for the prerogatives of the executive branch.

“We must support the Commander in Chief,” they say. “We must support the Commander in Chief.” But, fellow Senators, this Commander in Chief is only

here for 4 years. I have served with 11 Commanders in Chief. We have Commanders in Chief, but we do not have to support the Commander in Chief. I don't care if he is a Democrat. I don't have to support the Commander in Chief. And I sometimes don't, even if he is a Democrat.

Well, debate shows that we are a nation of laws and that no man—neither king nor Commander in Chief—has the right to send us to war by virtue of his decision alone.

This Republic—not this democracy; forget it. Read Madison's essays, No. 10 and No. 14—this Republic. There it is, we pledge allegiance to the flag of the United States of America and to the Republic—not “the democracy.” The city-states in the time of Athens could have democracies. My little town of Sophia, with about 1,180 persons, could be a democracy. It is small enough. All the people could come together and they could speak for all the people, but not in this great country of 280 million people. This is a republic. We ought to get in the habit of speaking of it as a republic.

We are a model to the world in this respect. By debating and voting on issues of war and peace, Congress is able to express the will of the American people and galvanize support for what could be a costly conflict. Debate and well-meaning disagreement on important issues do not weaken the resolve of the American people. It is secret motives—here is where problems begin—secret motives, clandestine plotting, and lack of confidence in the public that are the swift solvent of our national morale.

If it is the path that this Nation is to take, President Bush ought to present his case to Congress before we must use military force to overthrow Saddam Hussein. That is why the Congress must ask important questions. At least there are some leaders in both Houses, in both parties, who need to be taken into these secrets.

That is why the Congress must ask important questions, including if we are successful in getting rid of the authoritarian who is now in power in Iraq, who will take his place? Have we covertly hand picked a leader for the future of Iraq? If so, who is he? Once such a military operation is undertaken, how will we know when the mission is accomplished?

Let there be no doubt, from what I now know and understand, I would support a change in regimes in Iraq. I suppose every Member of this body would probably do that. There is no doubt in my mind about the serious and continuing danger that Iraq poses to the stability of the Persian Gulf region. Saddam Hussein has sought to build weapons of mass destruction and long-range missiles. His military regularly attempts to shoot down our fighter planes that patrol the No Fly Zones over Iraq. He has worked to heighten the conflict between Israel and the Palestinians. He has promoted the starva-

tion of Iraqi children so that he and his cabal can live in palaces. Saddam Hussein is a scourge on the people of Iraq and a menace to peace. We know that. I know these things. I wasn't exactly born yesterday. But it is the duty of Congress to ask questions. Members of Congress need not be intimidated by polls. We are expected to ask questions.

It is the duty of Congress to ask questions so that we, the people's branch of government, and as a result, the American people, will know what we may be getting ourselves into. It may be that the President already has answers to these questions about Iraq, and that we might awake one morning to see those answers printed in the morning newspaper. As we learned all too well in Korea, Vietnam, and Somalia, it is dangerous to present Congress and the American people with a fait accompli—that is a dangerous thing to do, no matter what the polls say. Those polls can drop suddenly—present Congress and the American people with a fait accompli of important matters on foreign affairs.

When the Administration is asking the American people to send their sons and daughters into harm's way, knowing that some will never return, it is essential that Congress know more, not less, about the Administration's planned course of action. Congress must not be left to connect dots!

All that Congress has been promised so far is that the President would consult with Congress about military action against Iraq. This promise falls well short of the mark, particularly because of what the Administration offers in the way of consultation. Like other members of the Senate, I was taken by surprise by the President's sudden announcement of his plan to create a massive new Department of Homeland Security. I favored such, but it was all hatched in the bowels of the White House. And according to the press, there were, I think, four persons who provided the genius behind the creation. In an unbelievable twist of logic, the Administration maintains that it actually consulted with Congress on the proposal. The administration knows better than that. The President's chief of staff was quoted in *The Washington Post* on June 9, 2002, as saying, “We consulted with agencies and with Congress, but they might not have known that we were consulting.” How do you like that? I have been in Congress 50 years now. I have never seen anything like that, where the administration says we have consulted with Congress but they might not have known we were consulting.

This does not even deserve to qualify for George Orwell's definition of double speak. Such a claim is plain, unmitigated garbage.

In the aftermath of the carnage and turmoil of the Vietnam war, Congress approved the War Powers Resolution, that provided procedures for Congress and the President to participate in decisions to send U.S. Armed Forces into

hostilities. Section 4(a)(1) required the President to report to Congress any introduction of U.S. forces into hostilities or imminent hostilities. Section 3 requires that the "President in every possible instance shall; consult with Congress before introducing" U.S. Armed Forces into hostilities or imminent hostilities.

In face of this Congressional resolution, this administration refuses to consult with anyone outside its own inner circle—well, let its own inner circle provide the money when the time comes—anyone outside its own inner circle about what appears to be its plan for imminent hostilities. This Administration convenes meetings of its trusted few in little underground rooms, while sending decoy envoys to meet with Congress and members of the press, and the public.

I have not seen such Executive arrogance and secrecy since the Nixon Administration, and we all know what happened to that group.

I remember too well the Executive arrogance and extreme secrecy that lead to the Iran-Contra scandal. Selling weapons to a terrorist nation in exchange for hostages, and using that money to finance an illegal war in Central America. What a great plan that was! I guess I can understand why the Reagan Administration did not want to tell Congress about that foreign policy adventure.

I have no doubt that as I speak, there are some within this Administration who are preparing to carry out some sort of attack against Iraq. Well, that's all right. We have to make plans before we do things. I am not sure who they are, but I am connecting the dots, and I am concerned about the picture that is developing.

If the President needs to take decisive military action to prevent the imminent loss of American lives, he will receive broad support. But if this country is moving methodically and deliberately toward some kind of showdown with Iraq, Congress is entitled to good-faith consultations from the executive branch. We must consider and debate whether we should use military force against Saddam Hussein. And, barring the most exceptional of circumstances, Congress must vote to authorize the President to use military force against Iraq prior to the outbreak of hostilities if, after appropriate debate and consideration, Congress comes to that conclusion.

As Senator Gruening pointed out, it is the role of the Senate to advise and consent in foreign policy. And those words did not originate with Senator Gruening. Read the Constitution.

As the War Powers Resolution points out, it is the role of Congress to be active participants in foreign affairs, and certainly such adventures as making war.

So, as we proceed, let us connect the dots.

As the Constitution demands, it is the role of Congress to declare war.

Yes, we have a Commander in Chief. But what Army and what Navy does he have to command if Congress does not provide the money?

When the President is ready to present his case to Congress, I am ready to listen. But I think we all must be tired of trying to connect dots in the dark.

EXHIBIT 1
THE FEDERALIST NO. 10
JAMES MADISON

* * * * *

From this view of the subject, it may be concluded, that a pure Democracy, by which I mean, a Society, consisting of a small number of citizens, who assemble and administer the Government in person, can admit of no cure for the mischiefs of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole; a communication and concert results from the form of Government itself; and there is nothing to check the inducements to sacrifice the weaker party, or an obnoxious individual. Hence it is, that such Democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security, or the rights of property; and have in general been as short in their lives, as they have been violent in their deaths. Theoretic politicians, who have patronized this species of Government, have erroneously supposed, that by reducing mankind to a perfect equality in their political rights, they would, at the same time, be perfectly equalized and assimilated in their possessions, their opinions, and their passions.

A Republic, by which I mean a Government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking. Let us examine the points in which it varies from pure Democracy, and we shall comprehend both the nature of the cure, and the efficacy which it must derive from the Union.

The two great points of difference between a Democracy and a Republic are, first, the delegation of the Government, in the latter, to a small number of citizens elected by the rest: secondly, the greater number of citizens, and greater sphere of country, over which the latter may be extended.

The effect of the first difference is, on the one hand to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice, will be least likely to sacrifice it to temporary or partial considerations. Under such a regulation, it may well happen that the public voice pronounced by the representatives of the people, will be more consonant to the public good, than if pronounced by the people themselves convened for the purpose. On the other hand, the effect may be inverted. Men of factious tempers, of local prejudices, or of sinister designs, may by intrigue, by corruption or by other means, first obtain the suffrages, and then betray the interests of the people. The question resulting is, whether small or extensive Republics are most favorable to the election of proper guardians of the public weal: and it is clearly decided in favor of the latter by two obvious considerations.

In the first place it is to be remarked that however small the Republic may be, the Representatives must be raised to a certain number, in order to guard against the cabals of a few; and that however large it may be, they must be limited to a certain number, in order to guard against the confusion of a

multitude. Hence the number of Representatives in the two cases, not being in proportion to that of the Constituents, and being proportionally greatest in the small Republic, it follows, that if the proportion of fit characters, be not less, in the large than in the small Republic, the former will present a greater option, and consequently a greater probability of a fit choice.

In the next place, as each Representative will be chosen by a greater number of citizens in the large than in the small Republic, it will be more difficult for unworthy candidates to practise with success the vicious arts, by which elections are too often carried; and the suffrages of the people being more free, will be more likely to centre on men who possess the most attractive merit, and the most diffusive and established characters.

It must be confessed, that in this, as in most other cases, there is a mean, on both sides of which inconveniences will be found to lie. By enlarging too much the number of electors, you render the representative too little acquainted with all their local circumstances and lesser interests; as by reducing it too much, you render him unduly attached to these, and too little fit to comprehend and pursue great and national objects. The Federal Constitution forms a happy combination in this respect; the great and aggregate interests being referred to the national, the local and particular, to the state legislatures.

The other point of difference is, the greater number of citizens and extent of territory which may be brought within the compass of Republican than of Democratic Government; and it is this circumstance principally which renders factious combinations less to be dreaded in the former than in the latter. The smaller the society, the fewer probably will be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, and the smaller the compass within which they are placed, the more easily will they concert and execute their plans of oppression. Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other. Besides other impediments, it may be remarked, that where there is a consciousness of unjust or dishonorable purposes, communication is always checked by distrust, in proportion to the number whose concurrence is necessary.

Hence it clearly appears, that the same advantage, which a Republic has over a Democracy, in controlling the effects of faction, is enjoyed by a large over a small Republic—is enjoyed by the Union over the States composing it.

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THE FEDERALIST NO. 14
JAMES MADISON

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The error which limits Republican Government to a narrow district, has been unfolded and refuted in preceding papers. [See Essays 9 and 10.] I remark here only, that it seems to owe its rise and prevalence, chiefly to the confounding of a republic with a democracy: And applying to the former reasonings drawn from the nature of the latter. The true distinction between these forms was also adverted to on a former occasions. [See

Essay 10.] It is, that in a democracy, the people meet and exercise the government in person; in a republic they assemble and administer it by their representatives and agents. A democracy consequently will be confined to a small spot. A republic may be extended over a large region.

To this accidental source of the error may be added the artifice of some celebrated authors, whose writings have had a great share in forming the modern standard of political opinions. Being subjects either of an absolute, or limited monarchy, they have endeavored to heighten the advantages or palliate the evils of those forms; by placing in comparison with them, the vices and defects of the republican, and by citing as specimens of the latter, the turbulent democracies of ancient Greece, and modern Italy. Under the confusion of names, it has been an easy task to transfer to a republic, observations applicable to a democracy only, and among others, the observation that it can never be established but among a small number of people, living within a small compass of territory.

Such a fallacy may have been the less perceived as most of the governments of antiquity were of the democratic species; and even in modern Europe, to which we owe the great principle of representation, no example is seen of a government wholly popular, and founded at the same time wholly on that principle. If Europe has the merit of discovering this great mechanical power in government, by the simple agency of which, the will of the largest political body may be concentrated, and its force directed to any object, which the public good requires; America can claim the merit of making the discovery the basis of unmixed and extensive republics. It is only to be lamented, that any of her citizens should wish to deprive her of the additional merit of displaying its full efficacy on the establishment of the comprehensive system now under her consideration.

As the natural limit of a democracy is that distance from the central point, which will just permit the most remote citizens to assemble as often as their public functions demand; and will include no greater number than can join in those functions; so the natural limit of a republic is that distance from the center, which will barely allow the representatives of the people to meet as often as may be necessary for the administration of public affairs.

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THE PLEDGE OF ALLEGIANCE

Mr. BYRD. Mr. President, we all know that on Wednesday, in a 2-to-1 decision, a three-judge panel of the Ninth Circuit Court of Appeals held that the United States Pledge of Allegiance was unconstitutional. The court held that the pledge was unconstitutional because in 1954 the Congress had the audacity—imagine that—to include a reference to God in its provisions.

Some say these are just mechanical, ceremonial provisions. Get out of my face. That may be what some people think, but the majority of people in this country I don't believe are thinking in terms of ceremonial language.

I was a Member of the U.S. House of Representatives at that time. I am the only Member of Congress today in either body who can say that I was a Member of the House of Representatives on June 7, 1954, when the words

“under God” were included in the Pledge of Allegiance.

Now I see in the morning paper that the next thing these misguided atheists are wanting to do is to challenge the words “In God we trust.”

I was a Member of the House of Representatives on that same date, coincidentally, June 7, 1 year later, 1955, when the House voted to add the words “In God we trust” to the Nation's coins and currency. Every time you take out a dollar bill—that is a pretty popular bill in my lifetime, a dollar bill; here it is—on it we read the words “In God we trust.” It is all there. It is on the coins.

I was a Member of the House of Representatives when Congress voted to make that the motto, and here it is, inscribed, which is said in marble, “In God we trust,” right here over this door to the Chamber.

Over to my left are those words, “Novus Ordo Seclorum,” a new order of the ages.

“E Pluribus Unum,” all in one, one in all.

Over here, “Annuit coeptis,” God has favored our undertakings.

Here are these inscriptions. Bring in your stone masons and take these off the walls. That is what these pernicious atheists are saying. They want everything to suit themselves.

God have mercy on them. But if they have their way, we will have to have stonemasons come into this Chamber and chisel off these words.

They are not going to have their way. The people of these United States are not going to stand for this. And the courts had better take notice and kind of draw back a little bit. After all, if the American people do not believe in it and if they do not support it, that court decision is not going to be obeyed.

The courts, starting with the Supreme Court, need to take a new look at this first amendment. If anything will ever result in amending the first amendment, then continue to go down this road, I say to the courts. They ought to draw back just a little bit distant from going down the road they are presently on.

I am proud to inform my colleagues that I was in the House when Joint Resolution 243, which was entitled “A Joint Resolution to codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America” was enacted. That resolution was approved by the House on June 7, 1954—almost half century ago.

The plaintiff in the case that was just decided is a self-described atheist. His daughter attends elementary school in California. The public schools there, as elsewhere, begin each school day with the Pledge of Allegiance to the Flag. If this court's outlandish and ill-conceived decision is allowed to stand, it will mean that children in public schools in at least nine states will no longer be allowed to recite the pledge of allegiance by referring to

America as “one Nation, under God, indivisible, with liberty and justice for all.”

That is too much power.

Specifically, the court in this case has held that the words “under God” are unconstitutional because they support the existence of God but deny “atheistic concepts.” Unbelievably, the Court has held that this runs counter to the intent of the First Amendment of the U.S. Constitution, because, according to this court, the Establishment Clause of the First Amendment prohibits the government from endorsing any particular religion, including a belief in one God—which the court calls “monotheism”—at the expense of atheism.

Take a look at this Bible, which I hold in my hand. Here it is, the Holy Bible. It is the King James version—King James of England. Here is what it says in Psalm No. 127:

Except the Lord build the House, they labour in vain that build it: except the Lord keep the city, the watchman waketh but in vain.

Those are the words written long before the U.S. Constitution was written—written by wise men in many instances, Solomon, Son of David—long before the Constitution was written, long before the court system was established in these United States. Those are the words:

Except the Lord build the House, they labour in vain that build it.

Hear me, Judges!

In reading the court's decision, I was astonished by the tortured reasoning of the majority as opposed to the lucid opinion recorded by Judge Fernandez, the lone dissenter. In responding to the arguments of the majority, Judge Fernandez did not see fit to hold that the phrase “under God” violates the Constitution of the United States.

How silly, how lucidly silly.

If the schoolchildren of America were to be required to commemorate to memory, as they used to be required to commit many things to memory, the Declaration of Independence, would that ninth circuit judge render such an absurd decision concerning the constitutionality of the Declaration of Independence?

Let's just select three or four phrases from the Declaration of Independence.

The Declaration refers to “Nature's God.” The Declaration also refers to “the Supreme Judge of the world,” meaning God. The Declaration refers to “a firm reliance on the protection of divine Providence.” This is the Declaration of Independence. It was not written by Congress in 1954, as the words “under God” were inserted into the pledge. This Constitution was not written then. This Declaration of Independence was not written then. And who wrote it? In the main, it was written by Thomas Jefferson, along with John Adams, Benjamin Franklin, Philip Livingston, and one other. But there are at least four or five references to “Providence,” to “the Divinity,” to

“God,” to “the Supreme Judge of the world” in the Declaration of Independence.

Now, would the same judge render such a misguided, absurd decision concerning the Declaration of Independence?

Let's see who signed that Declaration of Independence. John Hancock—there are several signers. I will just select a few: John Hancock; George Wythe; Richard Henry Lee; Thomas Jefferson; Benjamin Harrison, who later would become President; Robert Morris, the financier of the American Revolution; Benjamin Rush; Benjamin Franklin; George Clymer; James Wilson of Pennsylvania; Samuel Adams; John Adams; Elbridge Gerry and Roger Sherman. What would they think? What would these signers of the Declaration think?

What would the signers of the Constitution say if they could speak today? What would they say about this pernicious decision we have just read about?

What would Roger Sherman think? What would William Livingston think? I am wondering, if they could speak today, what would they think? What would Benjamin Franklin say? What would Robert Morris think, George Clymer? These are also signers of the Constitution. What would James Wilson think? How about George Read? How about John Dickinson, what would he say—John Dickinson of Delaware, who signed this Constitution?

What would George Washington think? He presided over the Constitutional Convention. What would he say? What would John Rutledge say? What would Charles Cotesworth Pinckney say? What would Charles Pinckney say? What would Pierce Butler say? If they could speak to this—I will use a word that is pretty widely used—god-awful decision, what would they say?

Well, Judge Fernandez said we should recognize “that the religious clauses in the Constitution were not designed to drive religious expression out of public thought; they were simply written to avoid discrimination.”

Judge Fernandez acknowledged further, that, “we can run through the litany of tests and concepts which have floated to the surface from time to time.” But, he said, “when all is said and done, the danger that the words ‘under God’ in our Pledge of Allegiance will tend to bring about a theocracy or suppress somebody's beliefs is so minuscule as to be de minimis.” He concluded his dissent by finding that there is nothing unconstitutional about the Pledge of Allegiance, because any danger presented to first amendment freedoms by the phrase ‘one nation under God’ is, in his words, “picayune.”

Well, to that, I would say, “Amen.”

Mr. President, over my many years in office, I have known other critics, like the majority of this court, who have attacked the words “under God” as they exist in the Pledge of Allegiance. They have implied that the Founding Fathers were essentially

“areligious” or “neutral” about religion. Some of these critics even claim the Founding Fathers were antireligious, that they were bent on establishing a completely secular state in which God has no place. These individuals assert that America's fundamental origins are basically devoid of religious meaning, and that this was the intent of the Founding Fathers.

Well, nothing could be further from the truth.

If we read the Federalist essays, if we read other documents, we know that the intent of the Framers was to keep the new government from endorsing or favoring one religion over another. It was never meant to prohibit any voluntary expression of religious faith. I believe that this court's decision is wrongheaded, destructive, and completely contrary to the intent of the Founders of this great Nation. Instead of ensuring freedom of religion in a nation founded in part to guarantee that basic liberty, a literal suffocation of that freedom has been the result. The rights of those who do not believe in a Supreme being are being zealously guarded, to the denigration, I repeat, the denigration, of the rights of the millions of people in this country who do believe.

The American doctrine of separation of church and state forbids the establishment of any particular religion by the state, but it does not forbid the influence of religious values in the life of our Nation. Religious faith has always been a basic tenet of American life. This is evident throughout the history of America.

The history of the first amendment in particular is one of the great legacies of faith bequeathed by the Founding Fathers, but it is one that is little understood and sometimes distorted—as it was in the recent court decision. In 1791, Congress passed the first 10 amendments to the Constitution. We refer to these 10 amendments as the Bill of Rights. The very first amendment recognized the importance of religion in American life, stating that, Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, which the second phrase is just as important and has equal weight with the preceding clause. The purpose of this tenet was to allow religious faith to flourish, not to suppress it, not to hobble it.

In fact, even earlier—before the passage of the First Amendment—Congress had clarified its attitude toward religion when, on August 7, 1789, it officially reenacted the Northwest Ordinance of 1787, which included an explicit endorsement of religion. Article III of the Northwest Ordinance of 1787 stated, “Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of learning shall forever be encouraged.”

At that juncture, most schools were church enterprises. Congress recognized this, and expected—and I want to

emphasize this—expected that the schools would teach religion and morality.

Against this backdrop, the First Amendment is especially enlightening. James Madison, the principal sponsor of the Bill of Rights and later himself President, was a lifelong Episcopalian who had studied theology at Princeton with apparent plans to enter the ministry. However, on his return to Virginia after college, he changed his mind and went into politics primarily because he was deeply disturbed by the persecution of Baptists and other non-conformists in the Old Dominion. He therefore entered politics to become an ardent advocate of religious tolerance.

Madison declared that, “the religion of every man must be left to the conviction and conscience of every man.” Thus, in consultation with John Leland, the leading Baptist clergyman in Virginia, Madison hammered out the church/state principles that were eventually embodied in the first amendment.

As a result, the institutions of Church and State were officially separated, but the exercise of religion and its influence on society were encouraged—not discouraged.

One of the most perceptive observers of the early American scene was the celebrated Alexis de Tocqueville. De Tocqueville, in summarizing the condition of religion in the United States in the 1830s, wrote:

On my arrival in the United States the religious aspect of the country was the first thing that struck my attention . . . In France I had almost always seen the spirit of religion and the spirit of freedom marching in opposite directions.

That is what this court would have us do in this country. But, continued de Tocqueville:

But in America, I found they were intimately united and that they reigned in common over the same country . . . Religion . . . must be regarded as the foremost of the political institutions of the country—

Meaning this country—

for if it does not impart a taste for freedom—
We hear the word “freedom” kicked around everywhere today—
it facilitates the use of free institutions.

De Tocqueville grasped what millions of Americans have known, past and present. God has been and continues to be an intimate and profound participant in the ongoing history of these United States. Keep that in mind. God has been and continues to be an intimate and profound participant in the ongoing history of America.

Remember the Scriptures: “Except the Lord build the house, they labor in vain that build it.” The American people believe that.

Through the decades, most Americans have come to discover the truth of de Tocqueville's conclusion when he asserted that, “Unbelief is an accident.” Hear that, ye atheists: “Unbelief is an accident, and faith is the only permanent state of mankind.”

In the context of this heritage, then, it is not surprising that the United

States—a nation that evolved out of the American Revolution—should be, at root, a religious nation, from the beginning, from the Mayflower Compact, which in at least four instances refers to God.

Indeed, most of the men who have been President of the United States have been men of exceptional faith. Two Presidents other than James Madison John Adams and Benjamin Harrison had considered entering the ministry. James Garfield was a lay preacher in the Disciples church. And Theodore Roosevelt, Benjamin Harrison, William McKinley, and James Earl Carter were all Sunday School teachers at various points during their lives.

Of all of the Presidents, Abraham Lincoln was among the most theologically astute and Biblically influenced. Paradoxically, he never formally joined any particular church. Nonetheless, he said the Bible—this is what Lincoln was talking about, the Holy Bible—was “the greatest gift God has given to man.” Hear me, Judge Goodwin of the Ninth Circuit. This is Lincoln speaking, not Robert C. Byrd. Lincoln said the Bible was “the greatest gift God has given to man.” And he was an avid reader of the Bible. He kept a battered old family Bible with him in the White House, and his speeches were laced with Biblical quotations. Reporters of his day stated that his delivery reflected the cadences and rhythms of the King James Version of the English Bible. The first Bible was the Coverdale Bible, written in 1535, the same year Thomas Moore was executed.

But Lincoln was not alone among the Presidents who bore public witness to their personal faith. Every President, from George Washington through George W. Bush, has included some reference to God in his inaugural address. I have gone through all the inaugural addresses. I think there might have been one President who was pretty weak in his references to the Supreme Judge of the world. But in most cases they didn't have any hesitancy about referring to providence, to God.

In his First Inaugural address, Washington declared, “No people can be bound to acknowledge and adore the Invisible Hand which conducts the affairs of men more than those of the United States. Every step by which they have advanced to the character of an independent nation seems to have been distinguished by some token of providential agency.” George Washington also instituted another custom that has been followed by every President since, by proclaiming a national day of Thanksgiving in late November of 1789.

Jefferson, specifically included in his plans for the University of Virginia the proposal that “proof of the being of God, the Creator, Preserver, and Supreme Being of the Universe, and Author of all morality, and the laws and obligations these infer, will be the province of the Professor of ethics.”

However, nowhere, perhaps, did Jefferson's religious faith have a greater influence than in the words of the Declaration of Independence. At one point, Jefferson wrote, “Religion is the alpha and omega of our moral law.” He also pledged that he had “sworn upon the altar of God eternal hostility against every form of tyranny over the mind of man.” In the Declaration, which he wrote, Jefferson made it clear that religion is not only the root of our moral law but of our political rights. The Declaration of Independence contains five synonyms for the word “God,” and maintains that freedom itself is a gift from God as an element of man's being.

As, hopefully, we all recall, the Declaration of Independence states, with respect to God:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. . . .

We, therefore, the Representatives of the United States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions. . . .

And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor. . . .

These are various and sundry excerpts from the Declaration of Independence.

Based on this foundation established by Jefferson and the other Founding Fathers, archaeologists in future millennia will have little difficulty reading the evidence of the religious faith and traditions that have been part and parcel of American history. Every nook and cranny of this Capitol—and I might add, of this Capital City—provides such evidence. In fact, wherever one may go in this great national city, he or she is constantly reminded of the strong spiritual awareness of our forefathers who wrote the Constitution, who built the schools, who built the churches, who hewed the forests, who dredged the rivers and harbors, and who created this Republic.

Here in the Senate, for example, the services of an ordained clergyman have been employed since 1789. The Senate Chaplain is the embodiment of a corporate faith in God and the symbol of the eternal judgment that we Senators recognize exists over our legislative and personal actions. Moreover, the institution of the Senate Chaplaincy is itself the result of a historical process that reveals much about the long development of American values.

For example, the first prayers offered in Congress were uttered on September 7, 1774. At the initial meeting of the First Continental Congress, Samuel Adams requested that the convention begin with prayer. As the Revolutionary War continued, the Continental Congress issued calls for periodic national days of prayer and fasting, asking the populace “to reverence the Providence of God, and look up to

Him as the Supreme Disposer of all events and the arbiter of the fate of nations.”

These religious expressions were not just pretense, they were not just ceremonial verbiage. Heavens no. Prayer and worship were held in high regard by the remarkable men who led the American Revolution, and the Chaplaincy of today's Senate is derived directly from the guidance provided by those great men. During the rocky sessions of the Constitutional Convention of 1787, the various representatives of the several States were locked in heated disagreement over petty prerogatives with little concern, apparently at that moment, for the national well-being. The weather had been very hot—probably as humid as it gets here in Washington at times—and the delegates to the Convention were tired and they were edgy. The debates were stymied and a melancholy cloud seemed to hang over the Convention.

Suddenly, old Dr. Franklin stood to his feet and faced the chair in which sat GEN George Washington. His famous double-spectacles were low on his nose, and he broke the silence when he addressed George Washington. Franklin reminded the Convention how, at the beginning of the war with England, the Continental Congress had prayed for Divine protection in that very room. “Our prayers, sir, were heard,” he declared. “They were graciously answered. . . .” He then asked, “And have we now forgotten that powerful Friend? Or do we imagine that we no longer need His assistance?”

He continued on saying:

I have lived, sir, a long time, and the longer I live, the more convincing proofs I see of this truth—that God governs in the affairs of men. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without his aid?

We have been assured, sir, in the sacred writings, that “except the Lord build the house, they labor in vain that build it.”

He selected the same portion of Scripture that I picked today, didn't he? This is Benjamin Franklin talking. He went on to say:

I firmly believe this: and I also believe that without His concurring aid we shall succeed in this political building no better than the builders of Babel. . . .

Well, today, we follow the Senate tradition of morning prayer. The Chaplain was among the first officers elected in the Senate upon adoption of the Constitution. In my volumes, “The Senate 1789–1989,” Senators will find a chapter on the Senate Chaplain. I hope they will read it again. To this very day, the first daily order of the business in the Senate is a prayer for Divine Guidance by the Chaplain.

This, of course, was not perceived by the Framers as an attack on the first amendment requiring separation between church and state, for the simple reason that no single church has anything to do with it.

It is not simply prayer in the Senate that reaffirms the religious history of the American people. Let us speak

briefly of some of the other reminders in Washington that reaffirm the proposition that our country is founded on religious principles.

On the Washington Monument, one may read three Biblical quotations on the 24th landing. One was donated by the Sunday school children of the Methodist Church of Philadelphia who contributed a stone bearing an inscription from the Book of Proverbs which states:

Train up a child in the way he should go, and when he is old, he will not depart from it.

Another inscription on the Washington Monument, which was contributed by the Methodist Church of New York, is also taken from Proverbs and reads:

The memory of the just is blessed.

That comes from chapter 22 of Proverbs, verse 6.

And the third stone bears these words of Christ from the Book of Luke:

Suffer the little children to come unto me, and forbid them not, for of such is the kingdom of heaven.

Near the Washington Monument, of course, is the Lincoln Memorial. This massive shrine pays homage to the greatness of this simple and heroic man whose very life was offered on the altar of liberty. We know of his knowledge of the Bible and his gentleness, his power, his determination, and we know that determination of Lincoln came to us clearly through his features chiseled in granite by the sculptor.

We can almost hear Lincoln speak the words which are cut into the wall by his side. Mr. President, we need to get some stonemasons to go down to the Lincoln Memorial. If this judge with his pernicious ruling and if the atheists are successful in having these words stricken from this Chamber—"In God We Trust"—and from the Nation's currency, we will have to have a lot of new dollar bills printed and a lot of new coins. We have to strike those words "In God We Trust" now from the bills if these pernicious suits by atheists are upheld by some misguided judges, like the one who rendered this decision. We had better hire some stonemasons. That might be a pretty good job, come to think of it. Maybe I should just retire at the end of this term—I would be about 89 then—and then I can perhaps get myself a job as a stonemason. I could go down here to the Lincoln Monument—I would not do it—at least I could think in terms of being a stonemason and take these words off that Lincoln Memorial.

Listen to what Lincoln says, according to the inscription on the Lincoln Memorial. Can you just witness those stonemasons going down there and chipping with chisel and hammer, chipping out these words? Listen, these are words that are cut into the wall by the side of Lincoln on the Lincoln Memorial:

That this Nation under God—

Praise God, hallelujah, there they are. That is Lincoln, that is what he said.

That this Nation under God, shall have a new birth of freedom. . . .

Hear that, judges of the Ninth Circuit. Hear that, Judge Goodwin of the Ninth Circuit. I have a great judge in West Virginia named Goodwin. He is a Federal judge. He is Judge Goodwin. But I daresay he would not have rendered that kind of a foolish decision. Here are the words that are cut into the wall by the side of Lincoln:

That this Nation under God, shall have a new birth of freedom, and that government of the people, by the people, and for the people shall not perish from the earth.

In his second inaugural address, this great President—a Republican, by the way. See, I do not hold that against him—in his great second inaugural address, great President Lincoln made use of the words "God," "Bible," "prayer," "providence," "Almighty," and "divine attributes," and then his address continues:

As was said 3,000 years ago so it still must be said, [that] "the judgements of the Lord are true and righteous altogether."

That was Abraham Lincoln.

With malice toward none, with charity for all, with firmness in the right as God—

This is Lincoln talking, Abraham Lincoln talking—

With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the brunt of the battle and for his widow and his orphan—to do all which may achieve and cherish a just and lasting peace among ourselves and all nations.

Before leaving Washington, a visitor might make a final stop at the National Cemetery in Arlington, VA. Here are the peaceful ranks of crosses, stars of David, other religious symbols reminding us that our Government has given its fallen men back to the God who gave them life. The Tomb of the Unknown Soldier stands for all those who have fallen in battle who could not be identified—members of all sects, faiths, and religions. And here, once more, we find the acknowledgment of God's divine power in the eloquent words:

Here lies in honored glory, an American soldier known but to God.

Can you imagine, we may have to someday get stonemasons to go over there and take hammers and chisels and take those words off that monument.

Thus, the connection between God and the United States of America is long established in the minds of most Americans. If we begin now to erase the connection between God and schoolchildren under the pretense of protecting the so-called constitutional rights of nonbelievers or atheists, as the Ninth Circuit did, will it not be necessary to go a little further, or perhaps a great deal further, in the future?

Will we next be forced to remove the name of God from all official docu-

ments, historic edifices, and patriotic events for fear of possibly offending what is a nonbelieving minority?

Must we do so when even the possibility of offending such a minority is, in the words of Judge Fernandez, picaresque?

What will the court crier say—"God save this honorable court"? He will have to stop there, will he not? He will have to say something else. Would he say, "President Bush save this honorable court?" Would he say, "President Clinton, save this honorable court?" One can see how silly such a decision was and how foolish it is to pursue that line in this country with all of its history.

Obviously, in establishing and maintaining a secular government, the American people never intended to foster an atheistic or a faithless society. In this light, in closing, I recite perhaps more sincerely than ever the prayer that climaxes one of our greatest national hymns:

Our fathers' God to Thee,
Author of liberty,
To Thee we sing;
Long may our land be bright
With freedom's holy light;
Protect us by Thy might,
Great God our King.

INDEPENDENCE DAY

Mr. BYRD. Mr. President, the Nation will honor its birthday on the forthcoming July 4. That was the day on which, in 1826, both Thomas Jefferson and John Adams died. They both died on the same day, 50 years exactly from the date on which Thomas Jefferson wrote that Declaration of Independence and the Congress approved it. What a coincidence. God works in miraculous ways, his wonders to perform, does not he?

As I look forward to that Fourth of July, I know the Senate will not be in session. But before we depart, I want to talk about the event that Senators and Members of the other body will be celebrating next week back in their home States and districts: Independence Day.

As I think of Independence Day, I think of Henry Van Dyke's poem, "America For Me."

'Tis fine to see the Old World, and travel up
and down
Among the famous palaces and cities of re-
nown,
To admire the crumbly castles and the stat-
ues of the kings,—
But now I think I've had enough of anti-
quated things.
So it's home again, and home again, America
for me!
My heart is turning home again, and there I
long to be,
In the land of youth and freedom beyond the
ocean bars,
Where the air is full of sunlight and the flag
is full of stars.
Oh, London is a man's town, there's power in
the air;
And Paris is a woman's town, with flowers in
her hair;
And it's sweet to dream in Venice, and it's
great to study in Rome;

But when it comes to living there is no place like home.

I like the German fir-woods, in green battalions drilled;

I like the gardens of Versailles with flashing fountains filled;

But, oh, to take your hand, my dear, and ramble for a day;

In the friendly western woodland where nature has her way!

I know that Europe's wonderful, yet something seems to lack:

The Past is too much with her, and the people looking back.

But the glory of the Present it is to make the Future free,—

We love our land for what she is and what she is to be.

Oh, it's home again, and home again, America for me!

I want a ship that's westward bound to plough the rolling sea,

To the blessed Land of Room Enough beyond the ocean bars,

Where the air is full of sunlight and the flag is full of stars.

I will think of America in the context of Henry Van Dyke's beautiful poem, "America For Me." I am not referring to the movie of several years ago. No one will be battling any alien invasions. Rather, we will participate in that most American of all holidays, all birthdays certainly, celebrating the founding of this Nation on July 4, 1776. That was 226 years ago.

Our Nation's birthday party is a time for picnics, ice cream, parades, and fireworks. It is a time for family and friends to gather under the shade of the biggest and the oldest tree around, camped out in lawn chairs and on blankets with sweating glasses of cold drinks in hand, watching, laughing, as children run through the lawn sprinklers—ha, ha. What a joy that was, to run through those lawn sprinklers. These pages have enjoyed those things. We did not have lawn sprinklers when I was a boy, but I knew the joy of the summer rain.

So while these children are running through the lawn and enjoying the lawn sprinklers, our minds will shift to hotdogs. When the evening shadows gather and the fireflies begin their display, it is time to pull out the sparklers and watch the fireworks. Small children then, like my granddaughters, like my great granddaughter, will nestle against parents or grandparents or great grandparents. They are made timid by the loud booms and shrill shrieks of the big rockets, but their shyness is soon forgotten as the enormous chrysanthemum bursts of red, gold, green, and blue burst forth against the dark sky.

I can see it from McLean. I can look toward Washington and see these enormous chrysanthemums of fireworks, these bursts of gold, red, yellow, and blue as they burst against the dark sky. Only when the show is over do small heads and sticky hands hang limp against a parent's shoulder for a long, sleepy walk back to the car and then home.

Many holidays touch deep wellsprings of feeling in Americans.

Memorial Day and Veterans Day play upon our heartstrings like the melancholy sigh of a violin, calling up visions of heroism and sacrifice, of the tears and loss and suffering that are sadly necessary parts of defending our nation, our people, and our freedom. Columbus Day sounds a bright note of discovery and optimism, the shining promise of new worlds. Flag Day foreshadows the patriotism of Independence Day, but no other holiday brings out such affection and pride in our nation and the ideals upon which it is based. It is as if the July sun heats the deep strong current that flows through this nation and brings it to the surface, each year as strong and fresh as ever, as powerful as it was in 1776.

July 4, 1776 was probably much like July 4, 2002 will be: hot, sunny, sticky with humidity in the South and East, dry in the West, but in 1776, the air would have been thick with tension. The colonies' ties with England were tearing apart. The previous year, on July 6, 1775, the Congress had issued a "Declaration of the Causes and Necessity of Taking Up Arms," which detailed American grievances while explicitly denying any intention of separating from Great Britain. King George responded by proclaiming a state of rebellion in the colonies, and Parliament passed an act that cut off colonial trade.

Since January of 1776, everyone had been reading and talking about the then-anonymous pamphlet, "Common Sense," that so eloquently argued for independence. Rebel forces were fighting, and winning, battles against British forces at Lexington, Concord, Fort Ticonderoga, Breed's Hill, and around Boston. A lot of things going on around Boston. Unable to conscript sufficient forces, King George had resorted to hiring mercenary soldiers from Germany the "Hessians." In May, King Louis XVI of France secretly authorized arms and munitions shipments to the Americans. In June 1776 the Continental Congress appointed a committee to compose a declaration of independence.

On June 28, 1776, American forces in Charleston, South Carolina, fought off a British attack, but on July 2, British General Sir William Howe landed an army that would reach 32,000 troops, including 9,000 Hessian mercenaries, at Staten Island, New York. The same day, Congress voted for independence. Two days later in Philadelphia, on the evening of July 4, the Declaration of Independence was adopted when John Hancock, president of the Congress, signed the final draft copy.

Composed primarily by one man, Thomas Jefferson, with changes made by after debate among the Congress, parts of the Declaration of Independence are well known to many Americans. Many people can recite the opening words—"When, in the course of human events * * *"—and more can recite the first line of the second paragraph: "We hold these truths to be self-evident, that all men are created equal;

that they are endowed by their Creator with certain inalienable rights; that among these, are life, liberty, and the pursuit of happiness." After that, sadly, Americans' knowledge of the substance of the Declaration drops off sharply. I hope that perhaps some parents will read the Declaration of Independence to their children this July fourth. Or some children will read the Declaration of Independence to their parent, on this 4th. The litany of wrongs inflicted upon the colonists by the British crown, designed to incite rebellion, still retains the power to inflame our passions. The actual declaration that follows, in the last paragraph of the document, is by contrast, firm and solemn, a straightforward and almost lawyerly assertion of separation from the Crown.

At the signing of the Declaration, which occurred on August 2, 1776, John Hancock was reported to have urged unanimity, saying "There must be no pulling different ways. We must hang together." To which Benjamin Franklin, with his usual wit, is said to have retorted, "Yes, we must indeed all hang together, or most assuredly we shall all hang separately." Gallows humor aside, Franklin's words were true. Failure on the part of the signatories to make the Declaration of Independence a reality would, for these men, mean losing not just a war, but their homes, their possessions, and, in all likelihood, their lives. These men were committing treason. Think about that. These men were committing treason. They were putting their lives, their honor, their sacred honor, on the altar.

They were putting everything they had on the line. The final words of the Declaration could not have been lightly written: "And, for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor." In the months ahead, American defeats at the battles of Long Island, White Plains, and Fort Lee may have made a few signers wish that they had not been swayed by Hancock's plea. Indeed, by September of 1777, the British under Howe had driven Washington's army toward Philadelphia, forcing Congress to flee the city. On September 26, 1777, Howe's forces occupied the city where the Declaration of Independence was signed.

The Revolutionary War continued for six more difficult years, until a preliminary peace treaty was signed in Paris. Congress would not declare a formal end to the war until April 11, 1783. The Treaty of Paris formally ending the war was signed on September 3, 1783 and ratified by Congress in January 1784.

Mr. President, I think it is good to remind ourselves of these things from time to time. And remember those men who were willing to sign their names on the line, committing to the cause their lives—their lives, their fortunes,

and their sacred honor. What would you have given for their lives had they not won that war? They were putting their lives on the line. They were committing treason. What a chance they took—for us. For us!

It is difficult today, accustomed as we are to automobiles, air conditioning, electricity, mobile phones and instant communications, to imagine what those years of war must have been like. Weeks might pass before you heard or read, by candlelight on a hot summer's night, about a decisive battle in a spot that might take you weeks to reach on horseback. Imagine life as a Revolutionary soldier: a wool uniform if you were lucky, and some French powder and ammunition hanging at your waist while you walk in the middle of long, dust-covered column between battles, carrying your three-foot-long, very heavy musket over your shoulder. I can see those boys from Vermont, can't you? In the hills of New Hampshire, Boston—can't you see them, plodding along from Lexington on to Concord?

In the winter you might have a tent to protect you from the winter, not nearly enough to eat. You might get paid only sporadically. Most of us could not do that for a weekend, let alone for six years.

This Independence Day, America is at the beginning of what promises to be another kind war—a war against terrorism. It, too, will be fought on our territory as well as at points far distant from us. It will require the same kind of resolve and commitment, and the same reliance on the protection of Divine Providence, that our Founding Fathers showed. But next week, as we celebrate 226 years spent enjoying the inalienable rights of life, liberty, and the pursuit of happiness, of freedom from tyranny, I am confident that Americans will demonstrate the same fortitude and bravery that our Founding Fathers displayed. Our ideals are too deeply ingrained in us to be lightly given up.

I close with the words from Longfellow's poem, "The Building of the Ship":

Thou, too, sail on, O Ship of State!
Sail on, O Union, strong and great!
Humanity with all its fears,
With all the hopes of future years,
Is hanging breathless on thy fate!
We know what Master laid thy keel,
What Workmen wrought thy ribs of steel,
Who made each mast, and sail, and rope,
What anvils rang, what hammers beat,
In what a forge and what a heat
Where shaped the anchors of thy hope!
Fear not each sudden sound and shock,
'T is of the wave and not the rock;
'T is but the flapping of the sail,
And not a rent made by the gale!
In spite of rock and tempest's roar,
In spite of false lights on the shore,
Sail on, nor fear to breast the sea!
Our hearts, our hopes, are all with thee,
Our hearts, our hopes, our prayers, our tears,
Our faith triumphant o'er our fears,
Are all with thee,—are all with thee!

THE PLEDGE OF ALLEGIANCE DECISION

Mr. THURMOND. Mr. President, I rise today to express my outrage at the decision reached by the Ninth Circuit Court of Appeals in *Newdow v. U.S. Congress*, in which a three-judge panel held that schoolchildren's recitation of the phrase "under God" in the Pledge of Allegiance violates the Establishment Clause of the Constitution. This case is the result of yet another attempt by the radical left to wipe away public references to God, and is an unconscionable act of judicial activism. I hope that the Ninth Circuit's decision will ultimately be reversed on appeal, allowing reason and common sense to prevail.

Simply put, there is no support in the law for this ruling, even in the Ninth Circuit's own jurisprudence. The phrase "under God" in the Pledge of Allegiance is very similar to the use of "In God We Trust" on currency and as the national motto, which has been repeatedly upheld by the courts. In *Aronow v. United States*, the Ninth Circuit Court of Appeals ruled that the phrase does not violate the Establishment Clause of the Constitution. The court said, "Its use is of a patriotic or ceremonial character and bears no true resemblance to a governmental sponsorship of a religious exercise." It also said that "it is quite obvious" that the phrase "has nothing whatsoever to do with the establishment of religion."

While the Ninth Circuit is the most relevant here because of Wednesday's ruling, other circuit courts have reached the same conclusion. The Tenth Circuit explained in *Gaylor v. United States* that the national motto "through historical usage and ubiquity cannot be reasonably understood to convey government approval of religious belief." In cases such as *Lynch v. Donnelly*, the Supreme Court has indicated its approval of these rulings. Even Justice William Brennan, one of the most liberal Supreme Court justices of the modern era and one of the most strident advocates for the separation of church and state, indicated his support for this view, saying that Americans have "simply interwoven the motto so deeply into the fabric of our civil polity" as to eliminate constitutional problems.

The same reasoning applies to the phrase "under God" in the Pledge of Allegiance. The use of this phrase simply indicates the important role that religion plays in America, but it does not establish a religion or endorse a religious belief.

It is also significant that even when the Supreme Court ruled in *Engel v. Vitale* that organized prayer is unconstitutional in public schools, the Court made it clear that the case did not apply to patriotic slogans or ceremonial anthems that refer to God. While I have always viewed this case as misguided, and have for years introduced a constitutional amendment to reverse it, even this case supports the use of

phrases, such as "under God" and "God Bless America," as part of our civic vocabulary.

The fact is that religion is central to our culture and our patriotic identity as a nation. As the Supreme Court said in *Lynch v. Donnelly*, there is "an unbroken history of official acknowledgment by all three branches of government of the role of religion in American life."

I am pleased my colleagues have denounced this ruling. Throughout the history of this great Nation, we have invoked the blessings of God without establishing religion. From prayers before legislative assembly meetings and invocations before college football games to the national motto on our currency, our Constitution has allowed references to God.

I would also like to say a few words about the Ninth Circuit. Several years ago, it was suggested that the Ninth Circuit be broken up. I think that it is time to reconsider that proposal. The Supreme Court reverses the Ninth Circuit at a much higher rate than other circuits, indicating the activist propensities of this circuit. Simply put, the Ninth Circuit is out of the mainstream, and the decision in *Newdow* underscores that fact. It is unhealthy for our democracy when one circuit routinely refuses to follow the law. During the last six years, the Supreme Court has reversed 80-90% of Ninth Circuit cases reviewed. While the Supreme Court corrects the Ninth Circuit often, it cannot do so on every questionable ruling, and this allows the establishment of dangerous precedents.

I am particularly concerned about Wednesday's ruling because one of the judges who joined in the majority opinion was Judge Stephen Reinhardt, whose own confirmation process was marked by controversy in 1980. I served as Ranking Member of the Judiciary Committee at the time, and I expressed serious concern over Judge Reinhardt's fitness to serve as a Federal judge. He was extremely active in politics and known for his very liberal views. Judge Reinhardt's major area of practice was labor law, and there was a question as to whether he had sufficient experience. His record, in my view, called into question his ability to serve as an impartial judge. During his tenure of the Ninth Circuit, Judge Reinhardt has been reversed an alarming number of times. He was reversed 11 times during the 1996-97 term, and he holds the record for unanimous reversals in one term.

I mention the matter of Judge Reinhardt's controversial past only to address his fitness as a Federal judge. This question is legitimate because circuit judges make important decisions that affect a lot of people. In the Ninth Circuit case, Judge Reinhardt helped create law that is dangerous in its precedent and unsound in its reasoning.

Mr. President, once again I want to state unequivocally that the Ninth Circuit made a poor decision in the *Newdo*

case. I hope that this decision will alert all Americans to the dangerous judicial activism that plagues the Ninth Circuit. Furthermore, I hope that this case is reversed on appeal, so that many more generations of schoolchildren will proudly learn the Pledge of Allegiance.

HIGH FRUCTOSE CORN SYRUP ANTITRUST DECISION

Mr. LEVIN. Mr. President, I wish to bring to the Senate's attention a recent decision of the U.S. Court of Appeals for the Seventh Circuit, written by Judge Richard Posner, in the case of *In Re High Fructose Corn Syrup Antitrust Litigation*, found at 2002 U.S. App. LEXIS 11940. Judge Posner's unanimous opinion, joined by Circuit Judges William Bauer and Michael Kanne, articulates in clear, cogent, and unequivocal language the standard for the Federal courts in the Seventh Circuit to follow in deciding whether circumstantial evidence of price-fixing or tacit collusion should be presented to a jury in antitrust cases. This is a much needed improvement in the state of the law, and I hope that it will soon be followed in other circuits as well.

Last month, the Permanent Subcommittee on Investigations, which I chair, completed a 10-month investigation into the reasons why gasoline prices fluctuate so dramatically and why retail gasoline prices seem to go up and down together at so many gas stations. The majority staff issued a comprehensive 400-page report explaining our findings, and we then held 2 days of hearings on the report.

I will not summarize the entire report here, but I would urge anyone interested in how gasoline prices are set to visit the subcommittee's Web site, where the report can be downloaded.

I would like to highlight, however, several of the issues the subcommittee examined that are directly relevant to the Seventh Circuit's decision. First, the subcommittee found that in several of our domestic gasoline markets where there is little competition a few oil companies have sufficient market power to raise the price of gasoline through their decisions on how much gasoline to produce.

The subcommittee examined retail prices in several geographic markets. The subcommittee found at various times in these markets the prices of the major brands of gasoline followed a "ribbon-like" pattern. The prices of these brands moved up and down together, usually by about the same amount each day, and they maintained a constant difference in price with respect to each other.

The documents reviewed by the subcommittee indicate that the marketing practices of the various gasoline wholesalers and retailers in the market contribute to this pricing pattern. First, the major brands usually seek to maintain a constant price difference with respect to one or more other brands

that are considered the major competition or the price leader in that market. Second, the market strategy of the major brands generally is to maintain market share, and avoid costly price wars which do not result in greater market shares, but often lead to lower margins for all of the firms competing in the market. Thus, most of the major brands establish their retail price simply by following the price movements of one or more other brands. They do not attempt to undercut their rivals; rather they seek to maintain their relative competitive position with respect to their rivals.

Another strategy supporting the ribbon-like retail price pattern is the influence the refiners maintain over the retail price. Major brand refiners usually set the wholesale price paid by their dealers on the basis of surveys of the retail prices of competitors; the refiner then subtracts an amount considered to be an adequate margin for the retailer, and charges the retailer for the remainder. In this manner, the dealers receive a fixed margin for their gasoline, and the benefits and costs of retail price changes accrue to the refiner rather than the dealer. In reality, therefore, a few refiners rather than many individual dealers set the retail price of gasoline for the major brands.

The resulting retail pricing pattern—the ribbon-like pattern—is exactly the same pattern one would expect to see in a market where there is some type of collusion between the firms in the market. In a collusive marketplace, each firm has an agreed-upon market share, and the relative prices of the different brands are fixed.

By itself, parallel pricing does not indicate collusion. Parallel pricing can develop in a competitive market, as each firm strives independently to obtain some advantage from a movement in price, only to be matched by its competitors who seek to deny that firm any such advantage.

Hence, to establish that firms in a market are colluding with one another, it is necessary to demonstrate more than just the existence of parallel or interdependent pricing. A plaintiff, or the government, as the case may be, must establish either an explicit agreement on pricing, or present sufficient circumstantial evidence indicating a tacit agreement on pricing.

It is rare to find in the modern age, with many corporations well-schooled in the antitrust laws, and legions of lawyers eager to educate those who are not, to find an express agreement to fix prices or restrict supply. Moreover, in markets most susceptible to price-fixing those with few firms, a high degree of concentration, homogeneous products, and high barriers to entry, such as the gasoline market—express collusion is totally unnecessary to carry out the purposes of any such conspiracy. In highly concentrated markets, the few firms can observe each other's behavior, determine how they react to various strategies, and react accordingly.

After a while, the firms in these markets can develop patterns of behavior that are as non competitive as if an actual agreement had been reached.

The problem, therefore, is how to determine whether certain market activity is the natural result of the structure of the market and purely independent decisionmaking, or is the result of some tacit agreement or understanding or agreed-upon practices that restrict competition.

Again, rarely will there be a "smoking gun" document pointing out the existence of tacit collusion. The best way—and in reality the only way to determine whether in fact such collusion exists is to look at all of the evidence regarding the marketplace and the behavior of the firms in the market. For example, are the companies acting independently? To what extent and how do they communicate with each other? To what extent do they have agreements between themselves on terms of sale, supply, storage, or transportation? To what extent do they share information? To what extent do they pursue innovation independently?

At the subcommittee's hearings we heard testimony from several attorneys general, knowledgeable in the antitrust laws, including Attorney General Jennifer Granholm from my home State of Michigan, that the standards used by the courts in recent years have become unduly stringent for plaintiffs seeking to present evidence of tacit collusion to a jury in an antitrust case. Many courts have been requiring plaintiffs in price-fixing cases to present evidence that it was more likely than not that the conduct complained of was the result of collusion before the evidence would be presented to the jury. In effect, this standard delegates to the judge on a motion for summary judgment the determination of the basic factual issues that are normally the province of a jury. Furthermore, it essentially requires the plaintiff to present evidence amounting to a "smoking gun" demonstrating collusion in order to survive a motion for summary judgment by the defendants. This standard thus prevents many cases that should be presented to a jury from ever getting to the jury.

Judge Posner's opinion in the High Fructose Corn Syrup case clarifies the law of the Seventh Circuit that economic evidence and other evidence indicating firms in a market have an agreement—either tacit or explicit—not to compete should be presented to a jury. The opinion clearly states that in a price-fixing case the question of "whether, when the evidence was considered as a whole, it was more likely that the defendants had conspired to fix prices than that they had not conspired to fix prices" should be presented to a jury, and that the antitrust laws do not establish a higher threshold for surviving motions for summary judgment than other types of cases. The plaintiff need not present one single item that demonstrates an

agreement; rather the plaintiff need only demonstrate that the evidence as a whole more likely than not shows an agreement.

Several weeks ago, following the subcommittee's hearing, I wrote a letter to the Federal Trade Commission informing them of the subcommittee's findings, and urging the FTC to take a number of actions to improve the competitiveness of the gasoline refining and marketing industry.

One of the points I stressed to the FTC was that "In concentrated markets juries should be permitted to consider circumstantial evidence in determining whether or not the firms in the market are acting in collusion. In highly concentrated markets, outright conspiracies and collusion between the market participants are totally unnecessary to develop concerted action. When there are few firms in a market, these firms can easily track and follow each other's behavior. In reality, the only way to demonstrate collusion in a concentrated market is through circumstantial evidence."

The Seventh Circuit has now established this principle as law. I commend the Seventh Circuit for this clarification and hope that other circuits will follow.

I ask unanimous consent that my letter to the FTC be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, DC, June 6, 2002.

Hon. TIMOTHY J. MURIS,
Chairman, Federal Trade Commission, Pennsylvania Avenue, Washington, DC.

DEAR CHAIRMAN MURIS: I am writing to follow-up on several issues raised in the recent report of the Permanent Subcommittee on Investigations, "Gas Prices: How Are They Really Set?," and the Subcommittee's hearings on this subject.

One of our central findings is that the increasing concentration in the petroleum refining industry has exacerbated the factors that cause price spikes. This has led to sharp increases in prices and an unprecedented level of volatility in a number of gasoline markets in the past several years. Because of the importance of petroleum in America today, gasoline price spikes can significantly harm the national economy.

During our investigation and at the hearing we examined a variety of proposals for reducing this volatility. I am pleased that the Federal Trade Commission (FTC) has been proceeding with its own study of the reasons for the volatility in gasoline prices and, as you stated in your remarks at the second public conference on this subject, will closely study our report and hearing record during your review. I nonetheless would like to take this opportunity to highlight some of the areas we examined that I believe deserve serious attention during your overall review and as the FTC reviews proposed mergers in the oil industry.

VERTICALLY INTEGRATED MARKETS

The Majority Staff report and testimony at the Subcommittee's hearings addressed a number of problems that arise when there is a high degree of vertical integration in highly concentrated markets. In such markets,

refiners have little incentive to lower wholesale prices, and retailers have limited ability to shop around for lower wholesale prices. The current situation on the West Coast also demonstrates that a high degree of vertical integration in a highly concentrated market poses substantial barriers to entry for other firms seeking to enter either the wholesale or retail market, including very high barriers to imports.

Professors Preston McAfee and Justine Hastings, both of whom testified at our hearings, have extensively studied the effects of vertical integration in concentrated markets. Their work indicates that mergers between two vertically integrated firms in highly concentrated wholesale and retail markets may be more detrimental to competition, through interdependent interactions between the integrated markets, than a straightforward analysis of the increase in concentration in each of those separate markets might indicate. For example, in looking at the California market, Professors Hastings and Richard Gilbert found "evidence in a broad panel that vertical integration matters for upstream retail prices and that wholesale prices tend to be higher in markets with large vertically integrated firms." I urge you to seriously examine and consider these findings and the work of Professor McAfee in this same area.

INVENTORIES

The increasingly tight balance between supply and demand in gasoline markets—including the reduced levels of crude oil and gasoline in inventories—is one of the prime factors underlying the recent volatility. In a tightly balanced market, even the slightest disruption in supply, such as a pipeline break or an unplanned refinery outage, will lead to a sharp increase in price due to the inelasticity in the demand for gasoline.

Most oil companies today have adopted just-in-time inventory practices. Although from each company's perspective these practices may minimize day-to-day operational costs, in the aggregate this has eliminated the refining industry's cushion or "insurance" against price spikes resulting from minor disruptions in the refining, distribution, and marketing system. It also has created a perverse incentive for refiners. The Subcommittee found documents indicating that a number of refiners prefer a market that is vulnerable to disruptions so they could take advantage of the higher prices that follow any disruption.

In reviewing proposed mergers, the FTC should carefully examine the potential effects upon the aggregate inventories that would be created as a result of the merger. The FTC should consider requiring companies seeking to merge to ensure that the aggregate inventories that would be maintained after the merger would not be less than, and perhaps even greater than, the aggregate inventories prior to the merger. This would ensure that increasing concentration would not further exacerbate one of the factors leading to price spikes.

PIPELINE AND TERMINAL CAPACITY

The history of the Wolverine Pipeline in Michigan, as recounted in the Subcommittee's report, demonstrates how control of critical transportation and storage facilities are a less visible but very effective way to influence cost, supplies, and market prices. The Wolverine case demonstrated that parties who control the transportation and storage facilities can take advantage of the complexity of the laws and regulations to circumvent the requirements of the law and limit competition in the market.

According to the Federal Energy Regulatory Commission (FERC), the Wolverine Pipeline violated the Interstate Commerce

Act for approximately twenty years in the manner in which it allowed access and established tariffs for shipments over the pipeline. With the intervention of the Michigan Attorney General, one small, independent company, Quality Oil, successfully challenged Wolverine's practices and obtained its rightful access to the pipeline. Quality Oil's access to the Wolverine Pipeline at non-discriminatory tariffs will benefit consumers in Michigan by increasing the supply of gasoline to independent dealers at competitive prices.

The Quality Oil/Wolverine Pipeline case demonstrates the importance of the mission of agencies such as the FERC and the FTC in ensuring there is fair competition in the marketplace. In markets in which a dominant player controls the transportation and storage of a product such as gasoline, I urge the FTC to use its available authorities to ensure that this market power is not abused. Similarly, in reviewing proposed mergers, the FTC should ensure that the proposed merger does not create any new barriers to entry into a market through a lack of access to pipelines and terminals.

REFINING CAPACITY

As you are aware, approximately half of the refineries in the United States have closed over the past twenty years. This has resulted in a decline in the aggregate amount of refining capacity, as well as increasing concentration in the refining industry. There are a variety of reasons for this increase in concentration, including the phase-out of federal subsidies that benefitted smaller refiners, increasing capital costs for refinery operation due to more stringent environmental regulations, economies of scale, and mergers within the oil industry. One of the Subcommittee's central findings is that in a number of markets this increase in concentration has exacerbated the factors that lead to price spikes.

In several recent mergers the FTC has required the divestiture of refining assets to preserve competition in the wholesale market. The Subcommittee received testimony that the divestiture of refining assets to firms that were much less capitalized than the divesting firm has contributed to the decline in inventories, as these less capitalized firms are less able to carry inventories. I urge you to review whether the divestitures the FTC has required have had the intended effect of preserving competition, or whether, in view of experience to date, additional conditions upon mergers or divestitures of assets are necessary to fully preserve competition in the refining industry.

MORATORIUM ON MERGERS

At the Subcommittee's hearing, the Attorneys General from the States of Connecticut and Michigan recommended that a one-year moratorium be placed on all major mergers within highly concentrated markets in the oil industry. The purpose of the moratorium would be to enable the Congress to consider more effective remedies to the problems arising from increasing concentration and allow the FTC to consider this problem as well. I am enclosing for your consideration a copy of the statement of Attorney General Blumenthal in support of this moratorium.

PARALLEL PRICING

The Subcommittee also received testimony on what the appropriate burden of proof should be in order to establish illegal collusion under the antitrust laws. The Attorneys General testified that the standard currently used by many courts presents too high a hurdle for plaintiffs in antitrust cases to present their evidence to a jury.

In concentrated markets juries should be permitted to consider circumstantial evidence in determining whether or not the

firms in the market are acting in collusion. In highly concentrated markets, outright conspiracies and collusion between the market participants are totally unnecessary to develop concerted action. When there are few firms in a market, these firms can easily track and follow each other's behavior. In reality, the only way to demonstrate collusion in a concentrated market is through circumstantial evidence.

We found numerous instances of parallel pricing within the gasoline industry. At certain times in certain markets, all of the major brands went up and down together, and stayed at a constant differential with respect to each other. Although parallel pricing in and of itself does not necessarily indicate collusion, I believe that additional circumstantial evidence should be considered by a jury in determining whether in fact such collusion exists in concentrated markets.

I therefore support the standard set forth in *In re Coordinated Pretrial Proceedings in Petroleum Products Antitrust Litigation*, 906 F.2d 432 (9th Cir. 1990), cert denied, 500 U.S. 959 (1991), in determining whether the plaintiff's circumstantial evidence of collusion can be presented to the jury.

IMPORTANCE OF INDEPENDENTS IN GASOLINE MARKETS

Numerous studies have demonstrated the importance of independent gasoline refiners and dealers in preserving competition in the gasoline wholesale and retail markets. For example, in one of the most rigorous studies to date, which is cited in the Subcommittee's report, Professor Hastings documented how the loss of one independent retail chain in Southern California led to across-the-board price increases at the pump in the areas previously served by the chain. In addition, the Subcommittee's investigation found a number of industry analyses indicating that the greater the presence of non-majors in a specific market, the lower the retail price.

The continuing decline of independents nationwide and in a number of markets presents a significant concern that prices in the affected markets will rise above purely competitive levels. In your reviews of proposed mergers I urge you to carefully examine the effect of the proposed merger upon the presence of independents in the market. Not only are large retail chains necessary to present effective competition for other large retail chains, but a healthy independent sector is necessary to maintain true price competition.

In this context, I urge you or the FTC staff to meet with the Association of Merger Dealers and seriously consider their proposal for the purchase of up to 17 Mobil-branded retail sites currently owned by Phillips/Tosco, which were acquired by Tosco under the consent decree in the Exxon-Mobil merger. In my opinion, it would be worthwhile for the FTC to consider this proposal as a test case to see whether the divestiture of gasoline stations owned by major brands to the dealers rather than to other major brands can be an effective way to inject competition into markets where a proposed merger would be detrimental to competition.

In closing, I would like to thank you and the FTC staff for the support provided to the Subcommittee during this investigation. Our extensive requests for documents were responded to in a timely manner, and the FTC personnel were readily available to answer the Subcommittee's questions. I look forward to continuing our productive working relationship in this and other issues.

Should you have comments regarding this letter, please feel free to contact me or have your staff contact Dan Berkovitz or Laura

Stuber, Counsels to the Subcommittee, at 224-9505. Again, thank you for your time and consideration.

Sincerely,

CARL LEVIN,
Chairman, Permanent
Subcommittee on Investigations.

ADDITIONAL STATEMENTS

HONORING MELISSA BYERS OF LEAWOOD, KS

• Mr. ROBERTS. Mr. President, today I am pleased to honor Melissa Byers of Leawood, KS, for her impressive essay, "Determining the Role of Peacekeeping in a Global Age." This essay won first place in a State-level competition in the 15th Annual National Peace Essay Contest sponsored by the United States Institute of Peace. She received a \$1,000 college scholarship, and is competing for national awards of up to \$10,000. Melissa is a high school student at Blue Valley North High School in Overland Park, KS.

Melissa sets an incredible example for all students in our country. Melissa came into my office and I met with her to extend my congratulations on her accomplishments. I would like to submit her essay into the RECORD and recognize her fine work.

The United States Institute of Peace is an organization created and funded by Congress to promote research, education, and training on the resolution of international conflicts. This National Peace Essay Contest is one of the Institute's oldest activities to promote civic education on international peace for students across the United States. I would like to commend the Institute of Peace and Melissa Byers for their participation.

Mr. President, I ask that Melissa's essay be printed in the RECORD.

The essay follows:

DETERMINING THE ROLE OF PEACEKEEPING IN A GLOBAL AGE

(By Melissa Byers)

Throughout the history of the United States, we have adapted foreign policy to meet the unique challenges of the times. Past US foreign policies of imperialism, expansionism, and isolationism were adapted in ways representing a narrow national interest. But global conflicts such as those moderated by the current United Nations missions to the Central Africa Republic, Sierra Leone, and Kosovo, not withstanding the huge ramifications of September 11, require a new foreign policy perspective. The collapse of the Soviet Union effectively ended the Cold War, bringing with it the possibility and the necessity of recognizing that the old order is past and a new order is required. By examining the traditional roles of the military and exploring several case studies, the issues surrounding national policy come more clearly into focus, and we can better begin to formulate and redefine a new way of thinking about the peacekeeping role of the United States military and our national interest.

Much has been written about the traditional role of the military, and protecting the homeland is a foundational context in defining the role of the military. Erwin A.

Schmidl, a historian for the Austrian Ministry of Defense defines five types of peacetime military operations (1) frontier operations, (2) colonial interventions and counterinsurgency, (3) occupational duties, (4) peacekeeping military operations, and (5) multinational operations (Sismanidis 1). This theory can certainly be applied to U.S. history. In frontier operations, the presence of US military was a stabilizing influence in fulfillment of Manifest Destiny. The US military in putting down the Filipino insurrection of 1901 was an example of colonial interventions and counterinsurgency operations, and the US post-WW II occupation of Germany and Japan in deterring the rise of militant forces was an example of occupational duties. The presence of forces in Haiti in trying to maintain political and economic stability is an example of peacekeeping military operations, and the recent NATO interventions in the old Yugoslavia in preventing ethnic cleansing and genocide is an example of multinational operations. The common thread of national protectionism underpins all five roles, formulating the traditional groundwork for the post-WW II definition of peacekeeping.

The timeliness of this essay is evident in the ashes and aftermath of September 11. With the physical destruction of the two World Trade Towers also came down the ideological pillars of an inviolable and invincible United States. Traditionally, wars have been fought between known enemies and specific military targets. The profile of the enemy was defined. But with the fall of the United Soviet Socialist Republic came a new set of variables that changed foreign policy. The profile of the "enemy" is not obscured. In many modern conflicts, violence often occurs between subtle ideological or ethnic enemies. The role of modern peacekeepers is evolving around these global human and economic conflicts. On the evening of September 11th, President George W. Bush's address to the nation articulated a shift in peacekeeping policy as it relates to national security and foreign relations, "America and our friends and allies join with all those who want peace and security in the world and we stand together to win the war against terrorism" (Bush Sept 11). In the evolving new foreign policy, definitions are broadened, national security is equated with international security, and American interests are linked with global interests.

The current evolution of the U.S. military's peacekeeping role stems from United Nations mandates that peacekeepers should maintain international peace and security. As published on the United Nations Website, the role of the peacekeeper is divided into three categories. (1) Cease-fire peacekeeping, in which conflicting countries can pull back, creating a more conducive environment for negotiations. (2) Multi-dimensional peacekeeping, in which experts inspire major political, social and economic change, strengthening national institutions. (3) Humanitarian peacekeeping, in which massive human suffering is relieved, delivering needed support and supplies (What is Peacekeeping?).

In the last six months, the role of U.S. peacekeepers has been drastically redefined to include these roles. In response to the threat of global terrorism, the U.S. has broadened homeland defense to include global interests. In a speech, marking the 100-day anniversary of September 11, Bush declared, "American power will be used against all terrorists of global reach" (Bush Dec. 20). The U.S. has now begun to build coalitions, attack terrorist networks, employ economic sanctions against those supporting and harboring terrorism, and condemn terrorist attacks wherever they occur. More funds have

been made available the military's role, from not only eliminating terrorist targets, but also to providing 2.5 million humanitarian rations inside Afghanistan (Bush Dec. 20).

One positive example of U.S. military involvement in peacekeeping happened during the 1999 Kosovo campaign to stop the ethnic cleaning entire of the Albanian community (U.S. White House 41-42). The presence of NATO peacekeepers provided for surrender of Slobodan Milosevic, repatriation of Albanian refugees, and withdrawal of Serbian forces from contested soils (U.S. White House 41-52). The success of the peacekeepers' involvement in Kosovo in promoting democratic principles also increased the security and stability of Europe. In October 2000, the world watched as Kosovo held its first free and open municipal election, and its positive result increased public confidence that peacekeeping efforts could be successful.

Negative examples of U.S. military involvement in peacekeeping occurred during operations in Lebanon and Somalia, failing due to a lack of US focus and resolve. During the Lebanese civil turmoil in the eighties, several thousand American, French, British, and Italian peacekeepers intervened to stop bloodshed, yet terrorism and flagging public support forced the peacemakers to withdraw without finding a peaceful solution (Magnuson 54). During the Somali Conflict in 1992, 30,000 U.S. military troops attempted to open supply routes and disarm local militias, but horrific images of the bodies of U.S. soldiers being drug through the streets of Mogadisu helped to break U.S. national resolve (Carpenter). Both missions were designed to decrease localized violence and civilian suffering, with limited international involvement, but in each, American uniforms because the target of heavily armed local militias. While these failed attempts at peacekeeping diminished U.S. international prestige, the most negative result was public disillusionment. Unsuccessful interventions in the civil matters of others countries, compounded by costs of American lives and resources, drastically limits the public resolve to intervene.

The tragedy of Rwanda is an example of the negative implications of restricting U.S. military involvement abroad. When the UN Security Council withdrew most of its peacekeepers from Rwanda, it created a deathly vacuum, resulting in the slaughter of 800,000 Tutsis in three months (Kuperman 105). Four months later the UN reversed its decision (Carnegie 4). In part, due to the Somalia experience, the U.S. continued to be reluctant to intervene (Nye 32). Experts project that the timely intervention of 6,000 U.S. troops could have prevented 275,000 Tutsi deaths (Kuperman 100). Lack of U.S. military action partially resulted in the human tragedy of Rwandan genocide, while the guilt of the nations grew and the national consciences appeared to numb.

Vietnam is an example of the positive implications of restricting U.S. military involvement abroad. For decades, France and Vietnam had been embroiled in military conflict. When France withdrew, the Americans entered in a peacekeeping role, fearing the domino effect. By 1955, American peacekeepers began advising military and political leaders against the communist forces lead by Ho Chi Minh (Bailey 916-917). Eventually, peacekeeping forces became military troops, escalating U.S. involvement, distracting the U.S. from its goal of peace, and entangling the U.S. in a long protracted war. Thus, public support decreased. What started out as a peacekeeping effort resulted in 47,355 American casualties, over one million Vietnamese casualties, and at a cost of 352 billion dollars (Bailey A34). The extent of such losses makes for a strong argument in limiting U.S. military engagement abroad.

Over the next decade, there is no doubt that the American military must play a leading part in insuring international peace and security. The old order, including the narrow traditional role of the military, is obsolete, and a new order, including a broadened innovative role of military, is required. Experiences in Kosovo, Lebanon and Somalia, Rwanda, and Vietnam testify that it is in our national interest to formulate and re-define broader peacekeeping roles for the United States military. As in the case of Kosovo, the U.S. needs to be bold enough to commit the forces needed to resolve the situation. As seen in Lebanon and Somalia, military objectives need to be well defined in order to avoid escalating entanglement and unnecessary loss of life. To prevent another Rwanda, the U.S. military policy needs to defend human rights violations wherever they occur, yet, move with enough caution and insight to prevent another Vietnam imbroglio. The lessons of September 11 call us to the openness and flexibility of preventative peacekeeping. The United States must realize that it has a vested interest in what goes on outside its borders, and that the best way to protect our national interests is to defend personal and economic rights worldwide.

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ALCOA'S MASSENA OPERATIONS

• Mrs. CLINTON. Mr. President, I would like to acknowledge the contribution to this nation provided by the workers and management of Alcoa's Massena, New York Operations. The Massena Operations make aluminum ingot—which is the raw material that is used in a variety of applications—and fabricated aluminum products.

I hope many of my colleagues will have the chance to visit the town of Massena, NY, because it is a wonderful community. Massena is located on the St. Lawrence River in St. Lawrence County, serving as a gateway to America's Fourth Coast, including the St. Lawrence Seaway, the Thousand Islands and the Great Lakes.

This year, Massena is celebrating its 200th birthday, and along with it a century of Alcoa involvement in the community. Alcoa is celebrating an incredible 100 years of aluminum production at its Massena location. As part of its celebration, Alcoa will establish the Massena Operations Memorial Park. Earlier this year, Alcoa-Massena officials also announced their contribution of \$100,000 to the Massena Bicentennial.

The history of Alcoa's Massena Operations is a true American success story. A century ago, the Pittsburgh Reduction Company, a predecessor of Alcoa, built a smelting plant at Massena. The products manufactured at Massena have included wire and electric transmission cable. Consumer products with aluminum components made in Massena have harnessed the power of electricity for the home. The Massena Operations have also made significant contributions to our Nation's military and aerospace efforts.

For a century, Alcoa's Massena Operations has upheld the proud American tradition of quality manufacturing. I wish to thank you for the opportunity to highlight their fine work and the important role that Alcoa's Massena Operations plays in their community in New York. •

LOCAL LAW ENFORCEMENT ACT OF 2001

• Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of last year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred September 12, 2001, in Boston, MA. Three teenagers, claiming they wanted to "get back at Arabs," threw three Molotov cocktails onto a convenience store the day after the September 11 terrorist attacks. The teenagers thought that the store was owned by an Arab. The owner of the store, Aswin Patel, an Indian man, escaped unharmed. The three perpetrators face Federal hate crimes charges and have been charged with assault with intent to murder and arson.

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. •

CONGRATULATING INDIANAPOLIS ON BECOMING DIGITAL TELEVISION ZONE

• Mr. BAYH. Mr. President, I rise today to congratulate the city of Indianapolis on its recent designation as a "Digital Television Zone." Viewers in Indianapolis are fortunate to be served by local television broadcast stations that have been and continue to be leaders in the digital television transition. These stations are: WTHR, a dispatch broadcast-owned NBC affiliate; WISH-TV, a LIN television-owned CBS affiliate; WRTV, a dispatch broadcast-owned ABC affiliate; and WXIN, a tribune broadcast-owned FOX affiliate.

As the broadcast industry undertakes its transition to digital television, I am proud to say that our local Indianapolis affiliates are already fully on the air in digital.

For those not familiar with digital television, it is the next step in the evolution of television. Those of us old enough, remember the move from black and white to color. Now, the next exciting step in the process is digital. Just as the other communications mediums are moving from an analog to a digital world, so too is television.

This past spring, Indianapolis' local CBS station, WISH-TV, granted the wish of many of my constituents. Through digital television, the station was able to simultaneously broadcast four NCAA basketball tournament games. Our local ABC affiliate, WRTV, has expanded its primetime digital line up. Today, Indianapolis viewers can watch popular programs such as "Drew Carey," "Alias," and "NYPD Blue"—all in high definition. The local NBC affiliate, WTHR, airs "Crossing Jordan" and "The Tonight Show" in high-definition nightly. This year, they broadcast the Olympics' opening ceremonies in digital. It is compelling programming like this that will propel the transition forward and encourage consumers to invest in digital technology—like their local broadcasters have done already.

In January, Indianapolis earned the distinction of being named a "Digital

TV Zone." As Mayor Bart Peterson said at the ribbon cutting ceremony, "Our designation as a Digital TV Zone—being one of only a handful of cities to have all local network affiliates broadcasting in digital—is evidence that Indianapolis is where it needs to be to compete in the digital world."

Through the Digital TV Zone Program, Indianapolis broadcasters pooled their resources over the past year to educate Indianapolis consumers—my constituents—about digital TV technology and its benefits.

The local stations cooperated with electronics manufacturers and retailers to post digital sets in high traffic areas throughout the city. If you walked through Indianapolis International Airport, or if you went to Conesco field house, or the NCAA Hall of Champions over the last 5 months, you would have seen the local Indianapolis stations in digital being displayed on high-definition digital television sets.

Clearly, Indianapolis broadcasters are doing their part to launch the digital television future. All of these different activities are designed to educate my constituents about the promise of this new technology.

There will, of course, be many challenges before all consumers can fully benefit from digital television. Despite any outstanding issues, I am proud to say that Indianapolis broadcasters are leading the charge into the digital television future and giving local viewers the opportunity to experience digital television now. •

LETTER TO HARVEY PITT, CHAIRMAN, SECURITIES AND EXCHANGE COMMISSION

• Mr. SMITH of Oregon. Mr. President, I ask that a letter, sent today, to the Chairman of the Securities and Exchange Commission, Harvey Pitt, from Senator BREAUX and myself be printed in the RECORD.

The letter follows:

U.S. SENATE,

Washington, DC, June 28, 2002.

Hon. HARVEY L. PITT,
Chairman, Securities and Exchange Commission,
Washington, DC.

DEAR CHAIRMAN PITT: We are writing out of deep concern regarding recent reports about a variety of abuses in corporate accounting scandals by companies and corporate executives. In particular, the accounting practices at WorldCom that led to an error of more than \$3.5 billion is unforgivable and inexcusable.

We are pleased to have taken steps to investigate several recent disturbing disclosures and encourage you to pursue initiatives to improve corporate responsibility and shareholder protections. We fear that these reports of corporate fraud may just be the tip of the iceberg, and the need to improve accountability in America's public companies is imminent.

American business is built upon an integrity and trust in business relationships that bolster our currency and provide a shining face of transparency that supports western values and spreads capitalism and corporate

responsibility across the globe. We can't emphasize how important it is for you to continue to work to improve corporate disclosure, make corporate officers more accountable and develop a stronger, more independent audit system. American businesses must be trustworthy, transparent and able to withstand the light of any audit.

We look forward to working with you and the Securities and Exchange Commission as you fully investigate the companies and individuals who abuse the system and prosecute them to the full extent of the law. Your role is crucial as we work to restore confidence in American business and restore integrity and trust in our stock market.

Sincerely,

GORDON H. SMITH,
JOHN BREAUX,
U.S. Senate.

COMMUNITY HERO

• Mr. SMITH of Oregon. Mr. President, I rise to salute a community leader in my home State of Oregon. Today, I want to recognize the efforts of Susan Abravanel, Education Coordinator at SOLV, a non-profit organization in Oregon, in advocating for service-learning, one of the most exciting educational initiatives taking hold in our Nation today.

Service-learning gives students the opportunity to learn through community service, but it is important to note that it is much more than just community service. It is a method of classroom instruction that engages a student's intellect through hands-on work outside the classroom that benefits the community at large. Research shows that students participating in service-learning make gains on achievement tests, complete their homework more often, and increase their grade point averages.

In addition to producing academic gains, service-learning is also associated with both increased attendance and reduced dropout rates. It is clear to educators across the country that service-learning helps students feel more connected to their own education while strengthening their connection to their community as well. It is for all of these reasons that Susan Abravanel is working so hard to advocate for service-learning in classrooms in Oregon and across the nation.

Ms. Abravanel is working closely with my office and with education leaders in Oregon to ensure that my home State remains a national leader in service-learning. Just 2 months ago, I introduced a bill with my colleague, Senator EDWARDS, to strengthen our Nation's commitment to service-learning. I feel confident that this bill will soon become law and that with Ms. Abravanel's continued efforts both here in Washington, DC, and at home in Oregon, students will continue to benefit from an education tied to civic engagement.

Ms. Abravanel exemplifies the type of engaged citizen our schools must endeavor to produce, and her persistence will ensure that future generations of Americans will give back to their com-

munities just as she has. I would also like to note that Susan isn't just concerned about education, her interests and efforts in Portland's Jewish community are well known and highly appreciated, she is the new President of the Oregon chapter of the American Jewish Committee. I look forward to working with Susan in her new role at the AJC and thank her for her continuing devotion to service-learning. •

COMMUNITY HEROES

• Mr. SMITH of Oregon. Mr. President I rise today to recognize some community heroes in my home State of Oregon. The Agape House, which has been serving needy families in the Hermiston area for 15 years, is one of those rare organizations that dedicates its efforts entirely to the service of others.

Founded in 1987, Agape House began as a small group of volunteers providing food and clothing to approximately 100 families a month. Over the years, Agape House has been able to expand its reach, and last month was able to help 644 families in need. Food and clothing still constitute the majority of the assistance provided by Agape House's volunteers, but they are often able to help local residents with energy bills, prescription drug bills, emergency shelter, and any number of other unmet daily needs.

Perhaps the most encouraging aspect of Agape House's work is that it is done by a large number of area volunteers who take turns staffing the Agape House. On any given day, six to eight volunteers work at Agape House, but they are seldom the same six to eight people who were there the day before. Not only do its many volunteers come from the community, but Agape House relies primarily on food, clothing, and financial donations from local citizens. Agape House is truly a community effort, and, for that reason, has been uniquely successful in providing assistance to the needy families of western Umatilla County.

One recent and extraordinary example of Agape House's effectiveness involves a young single mother in the Hermiston area. As a young single mother with three mouths to feed, this jobless Hermiston woman relied on Agape House for many of her family's daily needs. When she was finally able to find work, she struggled to get to and from her job because she could not afford a car, and was at risk of finding herself jobless once again. Seeing her problems, Agape House stepped in and gave her a car. A car is not a typical charitable gift to a young woman in need. With her new car, this young woman flourished at her job, and Agape House, which once served this woman nearly every day, has not had a visit from her since the day she received her car. This is just one example of how Agape House goes the extra mile to help people truly become self-sufficient, which takes much more dedica-

tion than simply providing temporary relief.

I think it is important to recognize organizations like Agape House here on the Senate floor. The staff and volunteers associated with Agape House are heroes to their community, and are shining examples of what can be accomplished by a generous group of civic-minded citizens. I appreciate the important work they do each and every day, and want them to know that their efforts do not go unnoticed by those outside Umatilla County. •

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a withdrawal and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 9:34 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 2578. An act to amend title 31 of the United States Code to increase the public debt limit.

The message also announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 125. Concurrent resolution providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.

At 11:31 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, without amendment:

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 the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3034. An act to redesignate the facility of the United States Postal Service located at 89 River Street in Hoboken, New Jersey, as the "Frank Sinatra Post Office Building."

H.R. 5010. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2003, and for other purposes.

H.R. 5011. An act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2003, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

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.

ENROLLED BILL SIGNED

The message also announced that the Speaker has signed the following enrolled bill:

S. 2578. An act to amend title 31 of the United States Code to increase the public debt limit.

The enrolled bill was signed subsequently by the President pro tempore (Mr. BYRD).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3034. An act to redesignate the facility of the United States Postal Service located at 89 River Street in Hoboken, New Jersey, as the "Frank Sinatra Post Office Building"; to the Committee on Governmental Affairs.

H.R. 5010. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2003, and for other purposes; to the Committee on Appropriations.

H.R. 5018. An act 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 Rules and Administration.

The following concurrent resolution was read, and referred as indicated:

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 Armed Services.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 4231. An act to improve small business advocacy, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 28, 2002, she had presented to the President of the United States the following enrolled bill:

S. 2578. An act to amend title 31 of the United States Code to increase the public debt limit.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BAUCUS, from the Committee on Finance, with an amendment in the nature of a substitute:

S. 2119: A bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of inverted corporate entities and of transactions with such entities, and for other purposes. (Rept. No. 107-188).

S. 2498: A bill to amend the Internal Revenue Code of 1986 to require adequate disclosure of transactions which have a potential for tax avoidance or evasion, and for other purposes. (Rept. No. 107-189).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 454: A bill to provide permanent funding for the Bureau of Land Management Payment in Lieu of Taxes program and for other purposes. (Rept. No. 107-190).

S. 691: A bill to direct the Secretary of Agriculture to convey certain land in the Lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in trust for the Washoe Indian Tribe of Nevada and California. (Rept. No. 107-191).

S. 1010: A bill to extend the deadline for commencement of construction of a hydroelectric project in the State of North Carolina. (Rept. No. 107-192).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

S. 1649: A bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to increase the authorization of appropriations for the Vancouver National Historic Reserve and for the preservation of Vancouver Barracks. (Rept. No. 107-193).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 1843: A bill to extend hydro-electric licenses in the State of Alaska. (Rept. No. 107-194).

S. 1852: A bill to extend the deadline for commencement of construction of a hydroelectric project in the State of Wyoming. (Rept. No. 107-195).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment:

S. 1894: A bill to direct the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle site in the State of Florida as well as the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park, and for other purposes. (Rept. No. 107-196).

S. 1907: A bill to direct the Secretary of the Interior to convey certain land to the city of Haines, Oregon. (Rept. No. 107-197).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 223: A bill to amend the Clear Creek County, Colorado, Public Lands Transfer Act of 1993 to provide additional time for Clear Creek County to dispose of certain lands transferred to the county under the Act. (Rept. No. 107-198).

H.R. 1456: A bill to expand the boundary of the Booker T. Washington National Monument, and for other purposes. (Rept. No. 107-199).

H.R. 1576: A bill to designate the James Peak Wilderness and Protection Area in the Arapaho and Roosevelt National Forests in the State of Colorado, and for other purposes. (Rept. No. 107-200).

By Mr. BYRD, from the Committee on Appropriations, without amendment:

S. 2708: An original bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2003, and for other purposes. (Rept. No. 107-201).

NOMINATIONS DISCHARGED

The following nomination was discharged from the Committee on Environment and Public Works and placed on the Executive Calendar pursuant to the order of June 28, 2002:

NUCLEAR REGULATORY COMMISSION

Jeffrey S. Merrifield, of New Hampshire, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2007.

The following nominations were discharged from the Committee on Agriculture, Nutrition, and Forestry and placed on the Executive Calendar pursuant to the order of June 28, 2002:

FARM CREDIT ADMINISTRATION

Fred L. Dailey, of Ohio, to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation.

Grace Trujillo Daniel, of California, to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation.

Douglas L. Flory, of Virginia, to be a Member of the Farm Credit Administration Board, Farm Credit Administration, for term expiring October 13, 2006.

COMMODITY FUTURES TRADING COMMISSION

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.

Walter Lukken, of Indiana, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 2005.

The following nomination was discharged from the Committee on Agriculture, Nutrition, and Forestry and referred to the Committee on Governmental Affairs for a period not to exceed 20 days pursuant to the order of June 28, 2002:

DEPARTMENT OF AGRICULTURE

Phyllis K. Fong, of Maryland, to be Inspector General, Department of Agriculture.

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 Mrs. LINCOLN:

S. 2700. A bill to amend titles II and XVI of the Social Security Act to limit the amount of attorney assessments for representation of claimants and to extend the attorney fee payment system to claims under title XVI of that Act; to the Committee on Finance.

By Mrs. CLINTON (for herself and Mr. SCHUMER):

S. 2701. A bill to suspend temporarily the duty on certain closures for low expansion laboratory glass; to the Committee on Finance.

By Mrs. CLINTON (for herself and Mr. SCHUMER):

S. 2702. A bill to suspend temporarily the duty on low expansion laboratory glass; to the Committee on Finance.

By Mrs. CLINTON (for herself and Mr. SCHUMER):

S. 2703. To suspend temporarily the duty on certain blanks and components for low expansion laboratory glass; to the Committee on Finance.

By Mr. NELSON of Florida (for himself and Mr. CLELAND):

S. 2704. A bill to provide for the disclosure of information on projects of the Department

of Defense, such as Project 112 and the Shipboard Hazard and Defense Project (Project SHAD), that included testing of biological or chemical agents involving potential exposure of members of the Armed Forces to toxic agents, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CRAIG:

S. 2705. A bill for the relief of Robert Bancroft of Hayden Lake, Idaho, to permit the payment of backpay for overtime incurred in missions flown with the Drug Enforcement Agency; to the Committee on Governmental Affairs.

By Mr. CLELAND:

S. 2706. A bill to improve economic opportunity and development in communities that are dependent on tobacco production, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KENNEDY (for himself and Ms. SNOWE):

S. 2707. A bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide comprehensive pension protection for women; to the Committee on Finance.

By Mr. BYRD:

S. 2708. An original bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2003, and for other purposes; from the Committee on Appropriations; placed on the calendar.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HAGEL (for himself, Mr. BIDEN, Ms. MIKULSKI, Mr. MURKOWSKI, and Mr. FITZGERALD):

S. Res. 296. A resolution recognizing the accomplishment of Ignacy Jan Paderewski as a musician, composer, statesman, and philanthropist and recognizing the 10th Anniversary of the return of his remains to Poland; to the Committee on Foreign Relations.

By Mr. SMITH of New Hampshire:

S. Res. 297. A resolution expressing the sense of the Senate that pet owners should regularly visit their veterinarians for their pets to receive check-ups, and for advice on issues like flea and tick control, especially during the spring and summer months; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. LANDRIEU (for herself and Mr. BREAUX):

S. Res. 298. A resolution honoring the Louisiana State University Tigers Men's Outdoor Track and Field Team; to the Committee on the Judiciary.

By Mr. FITZGERALD (for himself, Mr. TORRICELLI, Mr. SMITH of New Hampshire, Mr. LIEBERMAN, and Mr. SARBANES):

S. Con. Res. 127. A concurrent resolution expressing the sense of the Congress that the Parthenon Marbles should be returned to Greece; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 414

At the request of Mr. CLELAND, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 414, a bill to amend the National Telecommunications and Information Administration Organization

Act to establish a digital network technology program, and for other purposes.

S. 885

At the request of Mr. HUTCHINSON, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 885, a bill to amend title XVIII of the Social Security Act to provide for national standardized payment amounts for inpatient hospital services furnished under the medicare program.

S. 987

At the request of Mr. TORRICELLI, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 987, a bill to amend title XIX of the Social Security Act to permit States the option to provide medicaid coverage for low-income individuals infected with HIV.

S. 999

At the request of Mr. BINGAMAN, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 999, a bill to amend title 10, United States Code, to provide for a Korea Defense Service Medal to be issued to members of the Armed Forces who participated in operations in Korea after the end of the Korean War.

S. 1002

At the request of Ms. SNOWE, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 1002, a bill to amend the Internal Revenue Code of 1986 to modify certain provisions relating to the treatment of forestry activities.

S. 1339

At the request of Mr. CAMPBELL, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor 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. 1350

At the request of Mr. DAYTON, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 1350, a bill to amend the title XVIII of the Social Security Act to provide payment to medicare ambulance suppliers of the full costs of providing such services, and for other purposes.

S. 2067

At the request of Mr. BINGAMAN, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. 2067, a bill to amend title XVIII of the Social Security Act to enhance the access of medicare beneficiaries who live in medically underserved areas to critical primary and preventive health care benefits, to improve the Medicare+Choice program, and for other purposes.

S. 2078

At the request of Mr. LIEBERMAN, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cospon-

sor of S. 2078, a bill to amend section 527 of the Internal Revenue Code of 1986 to eliminate notification and return requirements for State and local political committees and candidate committees and avoid duplicate reporting by certain State and local political committees of information required to be reported and made publicly available under State law, and for other purposes.

S. 2218

At the request of Mrs. LINCOLN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 2218, a bill to amend title XVIII of the Social Security Act to provide coverage for kidney disease education services under the medicare program, and for other purposes.

S. 2480

At the request of Mr. LEAHY, the name of the Senator from Arkansas (Mrs. LINCOLN) 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. 2544

At the request of Mr. LEVIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2544, a bill to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to make grants for remediation of sediment contamination in areas of concern, to authorize assistance for research and development of innovative technologies for such remediation, and for other purposes.

S. 2554

At the request of Mr. SMITH of New Hampshire, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 2554, a bill to amend title 49, United States Code, to establish a program for Federal flight deck officers, and for other purposes.

S. 2558

At the request of Mr. REED, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2558, a bill to amend the Public Health Service Act to provide for the collection of data on benign brain-related tumors through the national program of cancer registries.

S. 2562

At the request of Mr. REID, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2562, a bill to expand research regarding inflammatory bowel disease, and for other purposes.

S. 2622

At the request of Mr. HOLLINGS, the names of the Senator from Wisconsin (Mr. KOHL) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 2622, a bill to authorize the President to posthumously award a gold medal on behalf of Congress to Joseph A. De Laine in recognition of his contributions to the Nation.

S. 2697

At the request of Mr. REID, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 2697, a bill to require the Secretary of the Interior to implement the final rule to phase out snowmobile use in Yellowstone National Park, John D. Rockefeller Jr. Memorial Parkway, and Grand Teton National Park, and snowplane use in Grand Teton National Park.

S. RES. 264

At the request of Mr. KERRY, the names of the Senator from Maryland (Mr. SARBANES), the Senator from South Carolina (Mr. HOLLINGS), and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. Res. 264, a resolution expressing the sense of the Senate that small business participation is vital to the defense of our Nation, and that Federal, State, and local governments should aggressively seek out and purchase innovative technologies and services from American small businesses to help in homeland defense and the fight against terrorism.

AMENDMENT NO. 3928

At the request of Mrs. HUTCHISON, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 3928 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 OF INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. LINCOLN:

S. 2700. A bill to amend titles II and XVI of the Social Security Act to limit the amount of attorney assessments for representation of claimants and to extend the attorney fee payment system to claims under title XVI of that Act; to the Committee on Finance.

Mrs. LINCOLN. Mr. President, I rise today to introduce the Social Security Attorney Fee Payment System Improvement Act of 2002. This bill will help ensure that all Social Security claimants have equal access to representation.

Unfortunately, the Social Security Administration's disability determination system has become far too complex for most claimants and their families to successfully navigate on their own. Claimants are confronted by a confusing, time-consuming and multi-level process, which, more often than not, results in a denial of their claim. Appealing a disability claim is a daunting task for anyone without the necessary legal experience, but for individuals who are in poor health or disabled, the procedural hurdles that must be cleared in order to obtain dis-

ability benefits can seem insurmountable. As a result, many of the hard working men and women applying for Social Security Disability Insurance, SSDI, benefits or Supplemental Security Insurance, SSI, benefits choose to retain an attorney to help them with their appeal. The bill I am introducing today will help both SSDI and SSI claimants get the benefits to which they are entitled by extending the attorney fee direct payment system to both programs, a change that is long overdue and that enjoys the support of both claimants' representatives and disability advocates.

Additionally, this bill corrects a serious and unintended consequence of the Ticket to Work Act of the 106th Congress. Although this plainly was a landmark piece of legislation, the disproportionately onerous nature of the attorney fee assessment provisions contained therein have caused a dramatic decline in the number of legal professionals who can afford to represent individuals seeking Social Security disability benefits. As a result of such a decrease in the number of attorneys skilled in this area of the law, the most vulnerable claimants, those with serious physical or mental impairments, those with financial challenges, and those who do not or cannot understand the disability claims process, are often left to find their own way through SSA's labyrinthine bureaucracy. This bill seeks to reverse this disturbing trend and to encourage attorneys to continue providing this extremely important service by enacting rational and equitable modifications to the fee assessment system.

I want to say that my long-term goal is to reform the Social Security disability claims process so that it is not so difficult and frustrating for claimants. However, I recognize that this will not happen overnight and, in the near term, it is essential that we enable citizens to cope with this onerous process.

I hope my colleagues will join me in ensuring that the hard working men and women of America obtain adequate legal representation as they pursue their Social Security disability claims. As my colleagues know, individuals with disabilities rely on Social Security disability and/or Supplemental Security Income benefits for life-sustaining income. We must do all we can to support their efforts to obtain benefits they need and deserve. This bill does just that.

By Mr. KENNEDY (for himself and Ms. SNOWE):

S. 2707. A bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide comprehensive pension protection for women; to the Committee on Finance.

Mr. KENNEDY. Mr. President, it's a pleasure to join Senator SNOWE in introducing the Women's Pension Protection Act of 2002. In this new millen-

nium, women still work in a world of "less" and "fewer." Less pay and fewer benefits, especially retirement benefits. Less job security and fewer opportunities for advancement. Less respect for their work and fewer rewards for their contributions.

A major challenge of our time is to protect women's retirement security. The legislation we introduce today meets this important goal by giving women greater say in the management of 401(k) funds, giving widows more generous survivor benefits, and granting divorced spouses expanded opportunities to receive a share of their former spouses' pension after a divorce.

The challenge of retirement security is overwhelmingly a women's issue. The Older Women's League's annual Mother's Day Report concludes that women's pension problems are rooted in the realities that shape their lives: the reality of the wage gap, the reality of caregiving responsibilities, and the reality of jobs that offer few benefits, especially pensions.

Almost 40 years after the Equal Pay Act was passed, women still earn only 73 percent of what men earn. You can't save what you don't earn. And the impact of the wage gap extends far beyond the years that women participate in the workforce. Over a lifetime, the wage gap adds up to an average of \$250,000 less in earnings for a woman to invest in her retirement. The result is that one in four older women are living in poverty.

Women represent less than half of the paid workforce, but comprise almost two-thirds of those working in minimum wage jobs. This should not come as a surprise to anyone, but women are 96 percent of all childcare workers, 97 percent of receptionists, and 90 percent of secretaries. Because so many of these jobs are non-union, part-time, and low wage, women are much less likely to be covered by a pension plan than men.

At the same time, women are much more likely to spend time out of the workforce to tend to family caregiving responsibilities. In fact, the average woman now spends 12 years out of the workforce over her work life. That is time that she is not earning a pension, vesting in a pension or contributing to Social Security. This absence from the paid workforce translates into inadequate retirement income and an increased financial dependency on their spouses at retirement. A woman who drops out of the labor market for as few as five years, can end up with as much as 30 percent less in her defined contribution plan.

Although the pension laws are gender neutral, pension policy unintentionally discriminates against women. Women continue to be less likely to be covered by a pension plan and less likely to receive pension benefits. And even when women earn pensions, their benefits tend to be only a fraction of what men receive because of pension formulas that penalize them for moving in and

out of the workforce. Only 13 percent of women age 65 and over receive a pension, and among that small group the median annual pension is only \$3,000. These challenges are made even more acute by the fact that women live longer than men and have a greater need for retirement income than men.

We need to make our pension system fairer, especially for women. Married women often count on their husband's retirement benefits to support them in old age, then outlive their husbands and frequently their husbands' retirement income.

Over the last twenty years, reform of the Federal pension law has seen some improvement with changes that allow a widow to continue receiving defined benefit pension payments. The Retirement Equity Act of 1984 requires defined benefit pension plans to pay survivor benefits unless a spouse waives this protection. But this protection does not extend to 401(k) and other defined contribution plans.

The Women's Pension Protection Act offers simple, common sense improvements in our private pension system to ensure that retirement savings programs better respond to the realities of women's working lives. This bill will help women like Joan Mackey of Salem, New Jersey, who testified recently about the difficulties she has faced in trying to collect survivor benefits from her former husband's pension plan. Ms. Mackey's ex-husband wanted her to collect survivor benefits after his death, but because Ms. Mackey didn't know to ask for a widow's benefit at the time of their divorce, the plan now refuses to pay.

Sadly, Joan Mackey is not alone. Congress must do all it can to protect women's retirement security and address inequities in our pension laws that primarily affect women. I urge my colleagues to support the Women's Pension Protection Act.

Ms. SNOWE. Mr. President, I rise to join with Senator KENNEDY in introducing The Women's Pension Protection Act of 2002 to improve the retirement security of women.

As Americans live longer, achieving financial security can be a particular challenge for women. Women live, on average, seven years longer than men but earn less money over their lifetime, and as women continue to be society's primary caregivers, they continue to lose time from the workplace during their prime earning years. The result? Just 40 percent of women have pensions, compared with 47 percent of men. Of those with pensions, women retirees receive only about half the pension benefits that men receive—on average, \$4,200 annually compared to \$7,800 for men.

With less time to invest in their retirement, women are frequently unable to establish a solid nest egg for future years. Women sometimes rely on their spouse's pension for essential savings in later years. If a marriage dissolves, as roughly half of marriages in Amer-

ica have, this can deal a terrible blow to a women's retirement plans.

For elderly women the situation worsens, as they are three times as likely than men to outlive their spouses. Lower pensions can make it difficult for women to make ends meet in their later years. Tragically, almost one in five nonmarried elderly women, 17 percent, live in poverty today. These facts help explain why our pension laws should reflect the reality and needs of our workforce.

The bill we are introducing today is aimed at meeting the unique financial needs of women. It recognizes the economic partnership of marriage, ensuring that women are included in financial decisions that effect their future. Under this bill, spousal consent would be required before participants can withdraw lump sum payments of pension benefits 401(k) plans. Similar requirements already exist for spouses of workers covered by traditional pension plans. This bill also encourages more investment into annuities, which pay a guaranteed stream of lifelong income and help to prevent poverty. Spouses will have the option of selecting a 75-percent survivor benefit, in addition to the current 50-percent survivor benefit.

This legislation also enhances the financial security of women by requiring plans to offer the option of increasing survivor benefits from 50 percent to at least 75 percent of her husband's retirement. It ensures that a widow can receive her husband's pension regardless of when the husband dies or whether he applied for the pension to begin. And it closes a glaring loophole by ensuring that pension plan administrators will abide by the division of pension benefits ordered by the courts in a divorce proceeding, regardless of when the order is given.

Ultimately, this legislation will strengthen our country's future by giving the tools women, and men, need to secure their retirement future. We have an opportunity to improve the benefits to our workforce and enhance opportunities for women in a way that makes sense. I urge my colleagues to join in supporting this legislation.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 296—RECOGNIZING THE ACCOMPLISHMENT OF IGNACY JAN PADEREWSKI AS A MUSICIAN, COMPOSER, STATESMAN, AND PHILANTHROPIST AND RECOGNIZING THE 10TH ANNIVERSARY OF THE RETURN OF HIS REMAINS TO POLAND.

Mr. HAGEL (for himself, Mr. BIDEN, Ms. MIKULSKI, Mr. MURKOWSKI, and Mr. FITZGERALD) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 296

Whereas Ignacy Jan Paderewski, born in Poland in 1860, was a brilliant and popular

pianist who performed hundreds of concerts in Europe and the United States during the late 19th and early 20th centuries;

Whereas Paderewski often donated the proceeds of his concerts to charitable causes;

Whereas, during World War I, Paderewski worked for the independence of Poland and served as the first Premier of Poland;

Whereas in December 1919, Paderewski resigned as Premier of Poland, and in 1921 he left politics to return to his music;

Whereas, the German invasion of Poland in 1939 spurred Paderewski to return to political life;

Whereas Paderewski fought against the Nazi dictatorship in World War II by joining the exiled Polish Government to mobilize the Polish forces and to urge the United States to join the Allied Forces;

Whereas Paderewski died in exile in America on June 29, 1941, while war and occupation imperiled all of Europe;

Whereas by the direction of United States President Franklin D. Roosevelt, Paderewski's remains were placed along side America's honored dead in Arlington National Cemetery, where President Roosevelt said, "He may lie there until Poland is free.";

Whereas in 1963, United States President John F. Kennedy honored Paderewski by placing a plaque marking Paderewski's remains at the Mast of the Maine at Arlington National Cemetery;

Whereas in 1992, United States President George H.W. Bush, at the request of Lech Walesa, the first democratically elected President of Poland following World War II, ordered Paderewski's remains returned to his native Poland;

Whereas June 26, 1992, the remains of Paderewski were removed from the Mast of the Maine at Arlington National Cemetery, and were returned to Poland on June 29, 1992;

Whereas on July 5, 1992, Paderewski's remains were interred in a crypt at the St. John Cathedral in Warsaw, Poland; and

Whereas Paderewski wished his heart to be forever enshrined in America, where his lifelong struggle for democracy and freedom had its roots and was cultivated, and now his heart remains at the Shrine of the Czestochowa in Doylestown, Pennsylvania: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the accomplishments of Ignacy Jan Paderewski as a musician, composer, statesman, and philanthropist; and

(2) acknowledges the invaluable efforts of Ignacy Jan Paderewski in forging close Polish-American ties, on the 10th Anniversary of the return of Paderewski's remains to Poland.

Mr. HAGEL. Mr. President, today I rise to submit a resolution recognizing the accomplishments of Ignacy Jan Paderewski as a musician, composer, statesman, and philanthropist and to commemorate the 10th anniversary of the return of his remains to Poland.

Born in Poland in 1860, Paderewski is remembered for his contributions to the arts and humanities and as one of the great men of our times. Paderewski was a brilliant and popular pianist who performed hundreds of concerts in Europe and the United States during the late 19th and early 20th centuries, donating the proceeds to numerous charitable causes. During WWI, Paderewski played a central role in achieving Poland's independence, becoming the first Premier of Poland in 1919 until 1922 when he left politics and returned to music.

The German invasion of Poland in 1939 spurred Paderewski to return to politics where he fought against the Nazi dictatorship in World War II. By joining the exiled Polish Government he helped to mobilize the Polish forces and to urge the United States to join the Allied Forces.

Paderewski died in 1941. At the direction of President Franklin D. Roosevelt, Paderewski's remains were placed alongside America's honored dead in Arlington National Cemetery, where President Roosevelt said he may lie until Poland is free.

For over a half century, the remains of Paderewski were interred at Arlington National Cemetery. He did not live to see the U.S. and Allied Forces liberate Europe from the tyranny of Nazi control. Nor did he witness the subjugation of Poland during the Soviet era. It was, however, the legacy of Paderewski that inspired movements throughout Europe, including Solidarity in Poland, which led to the liberation of Europe.

In 1992, Solidarity Leader Lech Walesa, the first democratically elected President of Poland following WWII, asked U.S. President George H.W. Bush to return Paderewski's remains to his native homeland.

On July 5, 1992, Paderewski's remains were interred in a crypt at the St. John Cathedral in Warsaw Poland.

So, as we near the 10th anniversary of this historic event, I submit this resolution and asked that it be properly referred.

SENATE RESOLUTION 297—EX-
PRESSING THE SENSE OF THE
SENATE THAT PET OWNERS
SHOULD REGULARLY VISIT
THEIR VETERINARIANS FOR
THEIR PETS TO RECEIVE CHECK-
UPS, AND FOR ADVICE ON
ISSUES LIKE FLEA AND TICK
CONTROL, ESPECIALLY DURING
THE SPRING AND SUMMER
MONTHS

Mr. SMITH of New Hampshire submitted the following resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. RES. 297

Whereas approximately 60 percent of American households are pet-owning households;

Whereas there are approximately 68,000,000 dogs in American households;

Whereas there are approximately 73,000,000 cats in American households;

Whereas pet owners typically have strong relationships with their pets;

Whereas pet owners love their pets as members of their families and should consider veterinarians as partners in helping to keep family pets healthy and happy;

Whereas strong relationships between pets and veterinarians are important for the diagnosis of major and minor pet health issues;

Whereas the spring and summer months are prime seasons for infestation by ticks, mosquitoes, and fleas;

Whereas ticks, as carriers of diseases like Lyme Disease, mosquitoes, as carriers of parasites like heartworm, and fleas all pose potential threats to the health of pets;

Whereas many spring and summer threats to pet health are silent and potentially fatal, but can be prevented with regular visits to veterinarians;

Whereas veterinarians know the best methods and best products to provide for the healthy lives of pets; and

Whereas 100 percent of dogs not on a preventive treatment will contract heartworm when exposed to the parasite: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) pets should not face unnecessary health threats, which frequently arise during the spring and summer months;

(2) the spring and summer months are an important time to provide dogs and cats with control products to protect against illnesses caused or carried by ticks, mosquitoes, and fleas;

(3) pet owners should seek expert advice from their veterinarians to learn how to protect dogs and cats against potential spring and summertime diseases and illnesses caused by ticks, mosquitoes, and fleas; and

(4) pet owners should regularly visit their veterinarians for their pets to receive check-ups, for prevention of disease, and for advice on issues like flea and tick control.

SENATE RESOLUTION 298—HON-
ORING THE LOUISIANA STATE
UNIVERSITY TIGERS MEN'S OUT-
DOOR TRACK AND FIELD TEAM

Ms. LANDRIEU (for herself and Mr. BREAUX) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 298

Whereas Louisiana State University Men's Outdoor Track and Field Team won the 2002 NCAA Division I Championship;

Whereas head coach Pat Henry was awarded the MONDO NCAA Division I Coach of the Year, and led the team to victory over top seeded Tennessee;

Whereas 9 time all-American and 6 time national champion senior Walter Davis was awarded the MONDO Athlete of the Year and won the long jump event and the triple jump event in the 2002 NCAA Division I Championship hosted by Louisiana State University, as well as running the beginning leg of the 4x100 meter relay;

Whereas Tiger athletes Robert Parham, Pete Coley, and Bennie Brazell also competed in the 4x100 meter relay with a time of 38.32 seconds, the fourth fastest time in NCAA history;

Whereas Robert Parham also won his heat in the 200 meter dash with a time of 20.45 seconds and Bennie Brazell and Lueroy Colquhoun advanced to the finals in the 400 meter hurdles by winning their preliminaries with respective times of 49.57 and 49.99;

Whereas Javier Nieto finished eighth in the hammer throw to become the first Louisiana State University Tiger to be honored as an all-American in that event since 1993;

Whereas due to the efforts and abilities of the student athletes and head coach Pat Henry, the Louisiana State University Men's Outdoor Track and Field team won the 2002 NCAA Division I Championship; and

Whereas the team's victory exemplifies the hard work ethic and high goals set by Louisiana State University and the State of Louisiana: Now, therefore, be it

Resolved, That the Senate congratulates the Tigers of the Louisiana State University Men's Outdoor Track and Field team on winning the 2002 NCAA Division I Championship.

SENATE CONCURRENT RESOLU-
TION 127—EXPRESSING THE
SENSE OF THE CONGRESS THAT
THE PARTHENON MARBLES
SHOULD BE RETURNED TO
GREECE

Mr. FITZGERALD (for himself, Mr. TORRICELLI, Mr. SMITH of New Hampshire, Mr. LIEBERMAN, and Mr. SARBANES) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 127

Whereas the Parthenon was built on the hill of the Acropolis in Athens, Greece in the mid-fifth century B.C. under the direction of the Athenian statesman Pericles and the design of the sculptor Phidias.

Whereas the Parthenon is the ultimate expression of the artistic genius of Greece, the preeminent symbol of the Greek cultural heritage—its art, architecture, and democracy—and of the contributions that modern Greeks and their forefathers have made to civilization;

Whereas the Parthenon has served as a place of worship for ancient Greeks, Orthodox Christians, Roman Catholics, and Muslims;

Whereas the Parthenon has been adopted by imitation by the United States in many preeminent public buildings, including the Lincoln Memorial;

Whereas over 100 pieces of the Parthenon's sculptures—now known as the Parthenon Marbles—were removed from the Parthenon under questionable circumstances between 1801 and 1816 by Thomas Bruce, seventh Earl of Elgin, while Greece was still under Ottoman rule;

Whereas the removal of the Parthenon Marbles, including their perilous voyage to Great Britain and their careless storage there for many years, greatly endangered the Marbles;

Whereas the Parthenon Marbles were removed to grace the private home of Lord Elgin, who transferred the Marbles to the British Museum only after severe personal economic misfortunes;

Whereas the sculptures of the Parthenon were designed as an integral part of the structure of the Parthenon temple; the carvings of the friezes, pediments, and metopes are not merely statuary, movable decorative art, but are integral parts of the Parthenon, which can best be appreciated if all the Parthenon marbles are reunified;

Whereas the Parthenon is a universal symbol of culture, democracy, and freedom, making the Parthenon Marbles of concern not only to Greece but to all the world;

Whereas, the since obtaining independence in 1830, Greece has sought the return of the Parthenon Marbles;

Whereas the return of the Parthenon Marbles would be a profound demonstration by the United Kingdom of its appreciation and respect for the Parthenon and classical art;

Whereas returning the Parthenon Marbles to Greece would be a gesture of good will on the part of the British Parliament, and would set no legal precedent, nor in any other way affect the ownership or disposition of other objects in museums in the United States or around the world;

Whereas the United Kingdom should return the Parthenon Marbles in recognition that the Parthenon is part of the cultural heritage of the entire world and, as such, should be made whole;

Whereas Greece would provide care for the Parthenon Marbles equal or superior to the care provided by the British Museum, especially considering the irreparable harm

caused by attempts by the museum to remove the original color and patina of the Marbles with abrasive cleaners;

Whereas Greece is constructing a new, permanent museum in full view of the Acropolis to house all the Marbles, protected from the elements in a safe, climate-controlled environment;

Whereas Greece has pledged to work with the British government to negotiate mutually agreeable conditions for the return of the Parthenon Marbles;

Whereas the people of Greece have a great, ancient bond to the Parthenon Marbles, which were in Greece for over 2,200 years of the over 2,430 year history of the Parthenon;

Whereas the British people support the return of the Parthenon Marbles, as reflected in several recent polls;

Whereas a resolution signed by a majority of members of the European Parliament urged the British government to return the Parthenon Marbles to their natural setting in Greece;

Whereas the British House of Commons Select Committee on Culture, Media and Sport is to be commended for examining the issue of the disposition of the Parthenon Marbles in hearings held in 2000; and

Whereas in 2004 the Olympic Games will take place in Athens, Greece—birthplace of the Olympics—and the Parthenon Marbles should be returned to their home in Athens by that time: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the Government of the United Kingdom should enter into negotiations with the Government of Greece as soon as possible to facilitate the return of the Parthenon Marbles to Greece before the Olympics in 2004.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Friday, June 28, 2002, at 9:30 a.m. for the purpose of holding a hearing to “Examine How a Department of Homeland Security Should Address Weapons of Mass Destruction and Relevant Science and Technology, and Public Health Issues.”

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on S. 2246, the Instructional Materials Accessibility Act: Making Instructional Materials Available to All Students, during the session of the Senate on Friday, June 28, 2002, at 10 a.m. in SD-430.

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

ALLOCATION TO SUBCOMMITTEES FOR FISCAL YEAR 2003

Mr. BYRD. Mr. President, for the information of the Senate, I want to appear in the RECORD the allocations to subcommittees for fiscal year 2003 by the Committee on Appropriations in the Senate.

On Thursday, June 27, 2002, the Committee on Appropriations, by a unanimous rollcall vote of 29 to 0, approved the allocation to subcommittees for fiscal year 2003.

These allocations were prepared in consultation with my esteemed colleagues, Senator TED STEVENS, distinguished ranking member of the committee, who stands with me committed to presenting bills to the Senate consistent with these allocations.

Furthermore, Senator STEVENS and I stand committed to opposing any amendments that would breach the allocations. We are committed to doing what we can to enforce discipline in the processing of thirteen, individual bipartisan and responsible appropriations bills for fiscal year 2003.

I ask unanimous consent that a table setting forth the allocation to subcommittees be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

**SENATE COMMITTEE ON APPROPRIATIONS—FY 2003
SUBCOMMITTEE ALLOCATIONS**
(Discretionary spending in millions of dollars)

Subcommittee	Budget authority	Outlays
Agriculture	17,980	18,318
Commerce	43,475	44,416
Defense	355,139	346,843
District of Columbia	517	581
Energy & Water	26,300	25,823
Foreign Operations	16,350	16,076
Interior	18,926	18,804
Labor-HHS-Education	133,988	127,131
Legislative Branch	3,413	3,467
Military Construction	10,622	10,122
Transportation	21,100	60,169
Treasury, General Gov't	18,501	18,237
VA, HUD	91,434	96,325
Deficiencies	10,344	6,780
Total	768,089	793,092

Approved by the Committee on a unanimous vote of 29 to 0 on June 27, 2002.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 94-201, as amended by Public Law 105-275, appoints the following individuals as members of the Board of Trustees of the American Folklife Center of the Library of Congress: Susan Barksdale Howorth of Mississippi, for a term of six years; and Marlene Meyerson of Texas, for a term of six years.

MEASURE READ THE FIRST TIME—H.R. 4231

Mr. BYRD. Mr. President, I understand that H.R. 4231 is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the information of the Senate.

The senior assistant bill clerk read as follows:

A bill (H.R. 4231) to improve small business advocacy and for other purposes.

Mr. BYRD. Mr. President, I now ask for the second reading and I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will re-

ceive its second reading on the next legislative day.

NOMINATIONS DISCHARGED

Mr. BYRD. Mr. President, as in executive session, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of the nomination of Jeffrey Merrifield to be a member of the Nuclear Regulatory Commission and that his nomination be placed on the Executive Calendar.

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

Mr. BYRD. As in executive session, I ask unanimous consent that the Agriculture Committee be discharged from further consideration of the following nominations and that they be placed on the calendar:

Fred L. Dailey to be a member of the board of directors of the Federal Agricultural Mortgage Corporation;

Grace Daniel to be a member of the board of directors of the Federal Agricultural Mortgage Corporation;

Sharon Brown-Hruska to be a Commissioner of the Commodity Futures Trading Commission;

Walter Lukken to be a Commissioner of the Commodity Futures Trading Commission;

Douglas Flory to be a member of the Farm Credit Administration board.

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

Mr. BYRD. As in executive session I ask unanimous consent that the Agriculture Committee be discharged from further consideration of the nomination of Phyllis Fong to be Inspector General at the Department of Agriculture and that her nomination be referred to the Government Affairs Committee for its consideration under the statutory time limitation.

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

ORDER FOR RECORD TO REMAIN OPEN

Mr. BYRD. Mr. President, I ask unanimous consent that the RECORD remain open today until 2:30 p.m. for the introduction of legislation and submission of statements.

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

THANKS TO MEMBERS AND STAFF

Mr. BYRD. Mr. President, on behalf of the majority and minority leaders, I wish to thank all Members of the Senate on both sides of the aisle, and the fine members of the staff of Senators and of the Senate on both sides of the aisle. I thank them for the good work they have done. I wish for them a very peaceful and enjoyable Independence Day holiday. And, of course, I wish for them safety for themselves and their families. I want them all to remember this birthday as a nation and how it

came about; the sacrifices that were made to make this a great nation; and to remember, first and finally, in all times that the nation that believes in God is blessed, and: Except the Lord build the house, they labour in vain that build it: except the Lord keep the city, the watchman waketh but in vain.

ORDERS FOR MONDAY, JULY 8, 2002

Mr. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn under the provisions of S. Con. Res. 125 until 2 p.m. on Monday, July 8; 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 begin consideration of the accounting reform bill under the previous order.

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

PROGRAM

Mr. BYRD. Mr. President, no rollcall votes will occur on Monday, July 8. The next rollcall vote will occur on Tuesday morning, July 9, in this year of our Lord, 2002.

ADJOURNMENT UNTIL MONDAY, JULY 8, 2002, AT 2 P.M.

Mr. BYRD. Mr. 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 and in accordance with the provisions of S. Con. Res. 125.

There being no objection, the Senate, at 1:49 p.m., adjourned until Monday, July 8, 2002, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate June 28, 2002:

DEPARTMENT OF STATE

RICHARD ALLAN ROTH, OF MICHIGAN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SENEGAL, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUINEA-BISSAU.

FEDERAL LABOR RELATIONS AUTHORITY

PETER EIDE, OF MARYLAND, TO BE GENERAL COUNSEL OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS, VICE JOSEPH SWERDZEWski, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*)) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be major

SHELLEY R. ATKINSON, 0000
ROBERT J. COOK, 0000
SUSAN L. DICKSON, 0000
SHAWN T. DONAHEY, 0000
ELIZABETH A. EKSTROM, 0000
ANDREW J. ELBERT, 0000
PHILLIP L. FIELDS JR., 0000

TERRY R. GOSTOMSKI, 0000
STEPHEN J. HARMON, 0000
DENNIS G. HUEY, 0000
CURTIS W. * JOHNSON, 0000
DAVID L. KERN, 0000
TERRENCE L. * KOUDELKA JR., 0000
RICHARD A. MACLEOD, 0000
JEFFREY S. MARKS, 0000
TIMOTHY R. MCWILLIAMS, 0000
WILLIAM H. * MELTON JR., 0000
MICHAEL J. REMUALDO, 0000
BRADLEY G. ROSS, 0000
MARK H. SLOCUM, 0000
SEAN K. SORENSON, 0000
HAROLD G. * WILLIAMS, 0000
SHAWN A. * WILSON, 0000
RANDY K. YOUNG, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR PERMANENT APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5589:

To be lieutenant

ROGER E. MORRIS, 0000

THE FOLLOWING NAMED OFFICER FOR PERMANENT APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5589:

To be lieutenant

JANE E. MCNEELY, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

GENARO T. BELTRAN JR., 0000
ROBYN D. EASTMAN, 0000
MILTON W. FRAZIER, 0000
MICHAEL S. PINETTE, 0000
THEODORE T. POSUNIAK, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

SEVAK ADAMIAN, 0000
EDWIN ALVAREZ, 0000
WALLIS E ANDELIN, 0000
CAROL E BARONE SMITH, 0000
JOHN D BLOOM, 0000
JEFFREY H BRAIN, 0000
KURT J BROCKMAN, 0000
GERARD S CHRABOT, 0000
CATHERINE L CUMMINGS, 0000
WILLIAM R K DAVIDSON, 0000
GRACE F DORANGRICCHIA, 0000
K K ERICKSON, 0000
RICK FREDMAN, 0000
DAVID H HARTZELL, 0000
HOLLY D HATT, 0000
KIMBROUGH M HORNSBY, 0000
KURT HUMMELDORF, 0000
MARIA I KORSNES, 0000
MARISA LEANDRO, 0000
DAVID A LOWREY, 0000
STEVEN D NYTKO, 0000
PAUL G OLOUGHLIN, 0000
FRANK P OMERZA, 0000
CHARLES W I PADDOCK, 0000
MARK L PLEDGER, 0000
IVAN ROMAN, 0000
MICHAEL T RONCONE, 0000
LUIS F ROSARIO, 0000
PETER A RUOCCO, 0000
GARRY SCHULTE, 0000
GAYLE D SHAPPER, 0000
MARTHA P VILLALOBOS, 0000
RANDALL J WALKER, 0000
THEODORE C WEESNER, 0000
CURTIS M WERKING, 0000
DONNA M WILLIAMS, 0000
CLIFFORD ZDANOWICZ, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

PIUS A AIYELAWO, 0000
JEFFREY M ANDREWS, 0000
IRIS J ASHMEADE, 0000
DECIIMA C BAXTER, 0000
FREDERICK C BEAL, 0000
DAWN A BLACKMON, 0000
THEODORE P BRISKI JR., 0000
GLENDA D CARTER, 0000
DERRIK R CLAY, 0000
ROBERT A EDGAR, 0000
ROBERT E FULLER, 0000
DAVID P GRAY, 0000
RACHEL D HALTNER, 0000
DEXTER A HARDY, 0000
DWIGHT D HART, 0000
MICHAEL N HENDEE, 0000
ANNE B HONE, 0000
SCOTT R JONSON, 0000
KEVIN R KENNEDY, 0000
DAIZO KOBAYASHI, 0000
MARY R LACROIX, 0000
JOHN D LARNERD JR., 0000

MICHELE F LOSCOCO, 0000
PATRICK S MALONE, 0000
DAVID L MCNAMARA, 0000
JONATHAN P NELSON, 0000
BUHARI A OYOFO, 0000
EDGARDO PEREZLUGO, 0000
ALANA M PIERCE, 0000
JOSE A RAMOS, 0000
STEVEN E RANKIN, 0000
MICHAEL D REDDIX, 0000
MICHAEL S SCHAFFER, 0000
CHARLES H SHAW, 0000
ELIZABETH A M SMITH, 0000
MARK K SOLBERG, 0000
DAVID R STREET JR., 0000
MICHAEL L VINEYARD, 0000
PENNY E WALTER, 0000
DAVID F WALTON, 0000
MICHELE L WEINSTEIN, 0000
CYNTHIA E WILKERSON, 0000
GEORGE S WOLOWICZ, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

SALVADOR AGUILERA, 0000
KEVIN J BEDFORD, 0000
MANUEL A BIADOG, 0000
DAVILA B F BRADLEY, 0000
ARTHUR M BROWN, 0000
ROOSEVELT H BROWN, 0000
HAROLD H CASERTA, 0000
RANDAL B CRAFT, 0000
CHIN DANG, 0000
WALTER E EAST, 0000
TED M FANNING, 0000
AARON JEFFERSON JR., 0000
WILLIAM M KENNEDY, 0000
JOHN W MAURICE JR., 0000
DAVID M MCELWAIN, 0000
CRAIG G MUEHLER, 0000
JOEL D NEWMAN, 0000
STEPHEN P PIKE, 0000
DOUGLAS E ROSANDER, 0000
MARK W SMITH, 0000
DONALD P TROAST, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DANIEL L ALLEN, 0000
JOHN C ANDERSON, 0000
CHRISTOPHER BOWER, 0000
KENNETH J BROOMER, 0000
PATRICK W BROWN, 0000
MICHELE M BURK, 0000
JACK C CAIN, 0000
RONALD K CARR, 0000
KEVIN J CARRIER, 0000
ROBERT R COX, 0000
RAYMOND B J DAUGHERTY, 0000
KENNETH DIXON, 0000
WENDY C FEWSTER, 0000
LEONARD T GAINES, 0000
BRIAN M GOODWIN, 0000
KELVIN J GOODWINE, 0000
JIMMIE S GRIFFEA, 0000
JOHN V GROESCHEL, 0000
JOHN V HARMON, 0000
WILLIAM P HAYES, 0000
CHARLES K HEAD, 0000
JAMES F HILES III, 0000
KEVIN W HINSON, 0000
FRANK J HRUSKA, 0000
DONALD S HUGHES, 0000
JOSEPH J ILLAR, 0000
CURTIS M IRBY, 0000
ROBERT M JENNINGS, 0000
THOMAS J KEENE, 0000
TRACY A KEENAN, 0000
RONALD J KOCHER, 0000
JAMES R LIBERKO, 0000
GLENN J LINTZ, 0000
ROGER D LORD, 0000
RICHARD N MAENHARDT, 0000
ROBERT R MAIN, 0000
MARSHALL L MASON III, 0000
JOHN M MCVIEGH, 0000
CHRISTOPHER S MOSHER, 0000
ANDREW B MUECK, 0000
MARK S MURPHY, 0000
MICHAEL B MURPHY, 0000
DONN D MURRAY, 0000
WILLIAM C NASH, 0000
KENNETH T NATIONS, 0000
ROBERT B OAKLEY, 0000
THEODORE C OLSON, 0000
JOHN T PALMER, 0000
RICHARD M PANKO, 0000
MARK A POLCA, 0000
MARILOU POTENZA, 0000
FRANCIS M PURDY, 0000
WILLIAM F REICH IV, 0000
JOSEPH F RUSSELL IV, 0000
JOHN T SANTOSALVO, 0000
FRANKLIN L SARRA JR., 0000
MICHAEL A SANNANAH JR., 0000
JOSEPH W SCHAUBLE, 0000
CLIFFORD G SCOTT, 0000
WILLIAM T SKINNER, 0000
PETER G STAMATOPOULOS, 0000
AARON K STANLEY, 0000
DICK E STEARNS III, 0000

DAVID J TRETTEL, 0000
 DAVID C WARUNEK, 0000
 DAVID L WASBERG, 0000
 MARK W WERNER, 0000
 ANDREW F WICKARD, 0000
 PAMELA Y WILLSBOGSTEDE, 0000
 MICHAEL J WILSON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DANIEL J ACKERSON, 0000
 STANLEY D ADAMS, 0000
 KARIE F ANDERSEN, 0000
 DEBRA A ARSENAULT, 0000
 KEVIN K BACH, 0000
 KEVIN P BARRETT, 0000
 TANIS M BATSEL, 0000
 MICHAEL J BATTAGLIA II, 0000
 ELISEO A BAUTISTA, 0000
 BRUCE BENNETT, 0000
 ABHIK K BISWAS, 0000
 PAUL J BRUHA, 0000
 MICHAEL L BURLESON, 0000
 GREGORY S CAMPBELL, 0000
 DAVID CANNON, 0000
 MARK E CHISAM, 0000
 CHRISTOPHER D CLAGETT, 0000
 JOSEPH A COSTA, 0000
 WILLIAM T CULVNER, 0000
 MICHAEL H DANENBERG, 0000
 DARYL K DANIELS, 0000
 DAVID M DELONGA, 0000
 DAMIAN P DERIENZO, 0000
 AMALIA B DIGAN, 0000
 ROBERT M DOUGLAS, 0000
 ALAN B DOUGLASS, 0000
 WALTER M DOWNS JR., 0000
 TIMOTHY D DUNCAN, 0000
 MICHAEL J ELLIOTT, 0000
 JAY B ERICKSON, 0000
 ROBERT J FLECK JR., 0000
 LYNN K FLOWERS, 0000
 QUENTIN J FRANKLIN, 0000
 EMORY A FRY, 0000
 ROBERT B GERMAN, 0000
 GEORGIA L GILL, 0000
 PATRICK B GREGORY, 0000
 MICHAEL J HARRISON, 0000
 KURT A HENRY, 0000
 STANLEY C HEWLETT, 0000
 HANSJOACHIM A HILDEBRANDT, 0000
 SARA M KASS, 0000
 CHRISTOPHER J KLINKO, 0000
 RICHARD KNITTING, 0000
 KENNETH C KUBIS, 0000
 GREGORY J KUNZ, 0000
 MICHAEL J LANE, 0000
 MICHAEL J LANGWORTHY, 0000
 KENNETH M LANKIN, 0000
 JOEL W LARCOMBE, 0000
 ROBERT P LARYS, 0000
 CALVIN S LEDFORD, 0000
 WILLIAM M LEININGER, 0000
 ALAN A LIM, 0000
 JOHN S LOCKE, 0000
 JEFFREY L LORD, 0000
 JEFFREY R LUKISH, 0000
 RICHARD E MANOS, 0000
 ROBERT P MARTIN, 0000
 ROBERT O MARTSCHINSKE, 0000
 BRIAN J MCKINNON, 0000
 KIMBERLY M MCNEIL, 0000
 JOSEPH G MCQUADE, 0000
 RONALD J MCVICAR, 0000
 WILLIAM R MEEKER, 0000
 BARTH E MERRILL, 0000
 MILES M MERWIN, 0000
 SHARON M MILLER, 0000

RICHARD M MONDRAGON, 0000
 FERNANDO MORENO, 0000
 JOHN W NELSON, 0000
 GARY W NOBLE, 0000
 ROBERT J NORDNESS, 0000
 JOHN D OBOYLE, 0000
 MAUREEN O PADDEN, 0000
 EDWIN Y PARK, 0000
 BHARAT S PATEL, 0000
 PATRICIA V PEPPER, 0000
 VISWANADHAM POTHULA, 0000
 ANDREW POTTS, 0000
 CURTIS R POWELL, 0000
 MARK D PRESSLEY, 0000
 JOHN G RAHEB, 0000
 TIMOTHY H RAYNER, 0000
 JONATHAN W RICHARDSON, 0000
 KEVIN J RONAN, 0000
 CRAIG E ROSS, 0000
 CRAIG J SALT, 0000
 THEODORE W SCHAFER, 0000
 JUDY R SCHAUER, 0000
 JAY SCHEINER, 0000
 RICHARD P SHARPE, 0000
 MICHAEL J SINGLETON, 0000
 JOEL A SMITHWICK, 0000
 MARTIN P SORENSEN, 0000
 WILLIAM A SRAY, 0000
 ROBERT E STAMBAUGH, 0000
 MARK B STEPHENS, 0000
 ERIC B STUART, 0000
 KEVIN F SUMPTION, 0000
 DALE F SZPISJAK, 0000
 CINDY L TAMMINGA, 0000
 DAVID A TANEN, 0000
 WILLIAM J TANNER, 0000
 JOHN T TAYLOR, 0000
 JOSEPH G THOMAS, 0000
 KEITH M ULNICK, 0000
 JASON L VANBENNEKOM, 0000
 DARIN K VIA, 0000
 KEVIN C WALTERS, 0000
 MICHAEL S WEINER, 0000
 JOSEPH K WEISTROFFER, 0000
 TODD R WILLIAMS, 0000
 JOHNNY WON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

CONNIE J BULLOCK, 0000
 RICHARD K GIROUX, 0000
 DAVID J GRUBER, 0000
 REX A GUINN, 0000
 JEFFERY L HUNT, 0000
 MICHAEL J JACKONIS JR., 0000
 JOHN C KAUFFMAN, 0000
 BRIAN T O'DONNELL, 0000
 CHARLES N PURNELL II, 0000
 RICHARD W RIDGWAY, 0000
 JAMES M RYAN, 0000
 PETER D SCHMID, 0000
 DENISE E STICH, 0000
 MICHAEL D SUTTON, 0000
 INGRID M TURNER, 0000
 BRENDAN F WARD, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ANGELICA L C ALMONTE, 0000
 CHRISTIE M APPLEQUIST, 0000
 KATHY T BECKER, 0000
 PATRICE D BIBEAU, 0000
 RICHARD L BLUMLING, 0000
 ROBERT E DOYLE JR., 0000
 TERESA FAHLGREN, 0000

LORIE L GREER, 0000
 PAMELA R HATALA, 0000
 ALISA K HODGES, 0000
 SALLYANNE JARVIS, 0000
 LENA M JONES, 0000
 JAMIE M KERSTEN, 0000
 PETER A LOMBARDO, 0000
 JOHN F LYONS, 0000
 MATTHEW L MCCOUCHE, 0000
 ELIZABETH B MYHRE, 0000
 MARY S NADOLNY, 0000
 MAUREEN M PENNINGTON, 0000
 KEITH D ROBERTS, 0000
 KATHERINE T ROWAN, 0000
 SARAH L SCHULZ, 0000
 CASSANDRA A SPEARS, 0000
 ANDREW P SPENCER, 0000
 LISA K STENSURUD, 0000
 MARY A SUTHERLAND, 0000
 DICK W TURNER, 0000
 NANCY J WALKER, 0000
 LESTER M WHITLEY JR., 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

KATHRYN A ALLEN, 0000
 ROBERT D BAKER, 0000
 BENJAMIN J BARROW, 0000
 EMMANUEL T BAUTISTA, 0000
 FREDDIE L BAZEN JR., 0000
 FREDERICK R BROOME, 0000
 FREDERICK F BURGESS, 0000
 JOSEPH A CAMPBELL, 0000
 ROBERT J CORDELL, 0000
 JOHN L DANGELO JR., 0000
 MATTHEW L EARLY, 0000
 ANTONIO M EDMONDS, 0000
 JAMES S FITZGERALD, 0000
 CRAIG S HAMER, 0000
 GREGORY W HARSHBERGER, 0000
 MARK S HOCHBERG, 0000
 JEFFREY M JOHNSTON, 0000
 JOSEPH M LARA, 0000
 WALTER M LENOIR III, 0000
 DANIEL A MCNAIR, 0000
 THOMAS G MORRIS, 0000
 WILLIAM C NEWTON, 0000
 ROBIN Y NOYES, 0000
 BRANT D PICKRELL, 0000
 ERICA L SAHLER, 0000
 WILLIAM M SHEEDY, 0000
 DAVID J SIENICKI, 0000
 DAVID M SMITH, 0000
 ROBERT W TYE, 0000
 MICHAEL A WEAVER, 0000
 MICHAEL D WILLIAMSON, 0000
 RODNEY O WORDEN, 0000
 JOHN A ZULICK, 0000

WITHDRAWAL

Executive message transmitted by the President to the Senate on June 28, 2002, withdrawing from further Senate consideration the following nomination:

FRANCIS L. CRAMER, III, OF NEW HAMPSHIRE, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM EXPIRING FIFTEEN YEARS AFTER HE TAKES OFFICE, WHICH WAS SENT TO THE SENATE ON NOVEMBER 28, 2001.

EXTENSIONS OF REMARKS

RELATING TO CONSIDERATION OF SENATE AMENDMENT TO H.R. 3009, ANDEAN TRADE PROMOTION AND DRUG ERADICATION ACT

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2002

Ms. JACKSON-LEE of Texas. Mr. Speaker, global commerce is a force for progress. However, current trade rules are too often used to undermine environmental protections and democratic rights in the name of "free trade." Fast track is the expansion of presidential authority in international trade. However, the Thomas substitute would aid powerful corporations searching the globe for cheap labor, lowering standards for workers' rights, public health and education, consumer rights and environmental laws worldwide, and causing developing countries to become even more impoverished. Fast track legislation consistently overlooks the rights of workers in developing countries.

The Ways and Means Chairman, Representative BILL THOMAS, has created a substitute for the fast track authority which provides that a nation only need enforce its own labor laws, whatever they might be, no matter how inadequate. Furthermore, H. Res. 450 would eliminate Senate amendments that restrict child labor in trade agreements, require countries to cooperate in the war against terrorism, and require a respect for non-discrimination in employment. In addition, the Thomas substitute fails to provide any enforceable environmental protections. The Thomas substitute, also, fails to provide an adequate oversight role for Congress.

Chairman BILL THOMAS is adding a never-before-considered legislative proposals to a rule on a procedural motion. He is denying this body an opportunity to debate, amend or offer a substitute to his proposal. He is denying us our right to free speech. The step of going to conference with the Senate is proforma and non-controversial. However, Chairman THOMAS is proposing a convoluted rule that, if adopted, will add up to a dozen extraneous and new items to the conference process. The Democratic Rules Committee staff is not aware of any other instance in this or any recent Congress in which a self-executing rule has been used to insert never-considered legislation into conference.

Trade authority goes far beyond tariff reduction and involves tradeoffs on intellectual property rights, environmental standards, basic labor laws and other issues of such importance to the American worker. The Thomas substitute includes a new Republican Trade Adjustment Assistance bill. This is an amended version of the House fast track bill, which passed in December by a one-vote margin. Each of these proposals has serious flaws. The Thomas substitute undermines the Senate TAA health care provisions by reducing

the level of support for workers from 70 percent to 60 percent. The Senate bill increases the TAA funding threefold, from \$100 million to \$300 million. This reflects the fact that the TAA annually runs out of money. But the Thomas substitute would only raise TAA funding only slightly, from \$100 million to \$110 million. Under the Thomas substitute, TAA and steelworker health care benefits would be severely limited in availability and cost too much for most workers to afford.

The Thomas substitute guts the Senate TAA non-health care provisions, by narrowing the benefits coverage of secondary workers even further than existing law, by eliminating the pilot wage insurance program for older workers with low-to-medium incomes. In addition, the Thomas substitute cuts almost two-thirds of the increased funding that is in the Senate bill.

During a time when the public has clearly voiced its concern that global trade matters move more into the eye of public scrutiny. This Thomas substitute would make the fast track trade bill the North American Free Trade Agreement (NAFTA) on steroids. Since NAFTA's passage in 1995, the trade deficit between the United States and Mexico has ballooned to \$29 billion annually. An estimated 700,000 American jobs have been lost to nations that don't have to play by the same labor and environmental rules that American workers do.

If we approve the Thomas substitute, our Representatives and Senators will limit themselves to having no more than 20 hours to debate any trade deal brought before them for ratification and to vote on the issue within 60 days of when it is introduced. Those limits would curtail public discussions about trade policy. Extended debates on Capitol Hill give ordinary citizens the chance to influence public policy by expressing their opinions to their elected representatives. If trade legislation is sped through Congress, that would limit the opportunities for careful deliberation on the merits and weaknesses of complex trade agreements. Curtailing discussion and debate of legislation is fundamentally undemocratic.

The sole purpose of this extraordinary and unprecedented legislative sleight of hand is, as Rules Committee Chairman DAVID DREIER says, to "strengthen the hand of House conferees before we get to conference." This is a political move. Furthermore, it would do so by short-circuiting the democratic processes of this body. This would deprive all members of the opportunity to consider important legislative proposals in a manner consistent with the parliamentary traditions of this House.

Therefore, I urge my colleagues to strongly oppose H. Res. 450.

RELATING TO CONSIDERATION OF SENATE AMENDMENT TO H.R. 3009, ANDEAN TRADE PROMOTION AND DRUG ERADICATION ACT

SPEECH OF

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2002

Mr. MOORE. Mr. Chairman, I rise in opposition to H. Res. 450, the so called Thomas Rule on the motion to go to conference on Trade Promotion Authority (TPA) legislation. But I also want to make clear that I support Trade Promotion Authority for the President and I hope I have the opportunity to vote in favor of a conference report on TPA later this year.

Globalization is here to stay. With markets now linked globally by computers, satellite communications, and advanced transportation networks, international trade and investment will play an increasing role in American prosperity. We cannot, as a nation, afford to retreat from a proactive strategy of trade expansion that takes advantage of our position as the world's most prosperous and dynamic economy.

Trade liberalization is also an important tool toward developing responsible global relations. It is a tool, as the preamble of the GATT states for "raising standards of living, ensuring full employment, developing the full use of the resources of the world and expanding the production and exchange of goods." Indeed, open markets are an important engine of economic growth, which can expand opportunities, raise living standards, and affect social change. More importantly, however, trade liberalization provides our nation with an additional diplomatic tool with which to deal with international disputes and/or coalition building; trade's national security component cannot be understated.

Unfortunately, however, today's vote is not about trade. It isn't even a pro forma exercise to go to conference and reconcile the differences between the House and Senate. It is a cynical and unprecedented procedural move to expand the scope of the underlying trade bill and to strengthen House negotiators' position in conference.

I understand and accept that the bill approved in the other chamber (H.R. 3009) contained provisions on which this House has spoken and that this Rule attempts to solidify the House's voice on matters such as the Andean Trade Bill, Customs Security, Dispute Resolution, and of course TPA. This Rule also, however, includes provisions on which this House has not yet had a clear debate and vote. I have deep concerns about the House of Representatives making an end-run on its rules and the guiding principles of a democratic body in this matter. It is for this reason that I oppose this Rule.

Mr. Speaker, on December 6, 2001, I voted for TPA. I have supported every piece of trade

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

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

legislation brought before the House since being elected to Congress. My record on trade is clear—I support free trade. This Rule today, however, is not about trade and I cannot support moves that undermine our body's rules and ideals in the name of expediency and process. Again, I hope to vote later this year on legislation granting the President Trade Promotion Authority and hope House and Senate negotiators can expeditiously develop a conference report for which I can soon vote.

HONORING REVEREND JOHN J.
HURLEY

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. BORSKI. Mr. Speaker, I rise today to honor the Reverend John J. Hurley, OSFS for his most recent achievements as the Moderator of the Model United Nations Program at both Father Judge and Northeast Catholic High Schools located in my Congressional District. Since January of this year, Fr. Hurley has been awarded three distinct honors for his work in advancing the understanding of international relations on the high school level. He is truly a beacon of diplomacy and deserves great acclaim for his dedication to the younger generation of Americans.

For the second time in the last three years, The International Relations Association of Georgetown University has named Fr. John J. Hurley, OSFS as the National Coach-Moderator of the Year. This award was presented to Fr. Hurley, OSFS on February 17, 2002 at the closing ceremonies of the 39th Annual North American Invitational Model United Nations Conference (NAIMUN XXXIX). Over 3,000 high school students from three hundred high schools in the United States of America, Canada, Brazil, Germany, Japan, The Netherlands, and Oman participated in NAIMUN XXXIX.

Additionally, on March 15, 2002, the Middle States Council for Social Studies awarded its 2001–2002 Distinguished Service Award to Fr. Hurley, OSFS. In making the presentation, Frances Warren, award chairperson, noted Father Hurley's significant service and support for the advancement of social studies in the Middle States area.

On May 4, 2002, the United Nations Association of the United States of America (UNA–USA) presented its highest award for the best delegation at its annual International Academic Competition to a Joint Team of Students from Northeast Catholic and Father Judge High Schools. Seven hundred students from around the globe participated in this international convention at UN Headquarters in New York City, which was co-hosted by the United Nations and Columbia University. Fr. Hurley served as the coach of this team.

Mr. Speaker, what will be next for Fr. Hurley in the remaining six months of this year? This noted scholar and advisor has worked tirelessly since 1954 in the pursuit of advancing the awareness and understanding of international relations. Let it be known that Fr. Hurley's work in international relations is in addition to his leadership position as the National Director of the Foreign Mission of the Oblates of St. Francis de Sales. Mr. Speaker, I agree

with The Reverend Joseph G. Morrissey's, OSFS, the Provincial of the Oblates of St. Francis de Sales, statement; "Fr. Hurley is a positive role model and leader to so many young men and women in the various schools. He invites, draws, and attracts them to a knowledge of world affairs in a Salesian tradition that will remain with them for the rest of their days."

TIME FOR A CAREER CHANGE

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. LaFALCE. Mr. Speaker, I have been blessed with the honor and privilege of representing the people of Western New York for thirty-two years: two in the New York State Senate, two in the New York State Assembly, and twenty-eight in the U.S. House of Representatives. For eight of my years in the House, I served as Chairman of the important Small Business Committee. For the last five years, I have served as Ranking Democrat on another major committee of even broader reach and import, the House Financial Services Committee.

I am extremely grateful for the honor the citizens of Western New York have given to me and most especially for the trust they have imparted to me over the course of those thirty-two years. During all that time, I have tried my best to serve the people of Western New York honestly, diligently, faithfully and intelligently and have worked hard to honor, earn, and deserve their trust.

In that span of three decades, I have met and worked with some of the most talented and noble men and women in this country. I shall treasure each and every one of those relationships.

But there comes a time to seek new horizons. And, for me, this is the right time. So I announce today that I will not be seeking another term in Congress.

I pondered very seriously whether to seek new horizons in 1992, at the time of the last redistricting, when my two closest friends in Congress, Henry Nowak and Matt McHugh, decided to leave. For many years now, I have been thinking about what I should do subsequent to the 2002 redistricting. I very much want to see the Democrats regain a majority in the House. Had the court-imposed plan not been withdrawn today, I might well have decided to run and be part of that effort.

But I have every confidence that a Democrat will win in the new 28th Congressional district and there are many talented Democrats who could represent it well: Congresswoman LOUISE SLAUGHTER, Mayor Bill Johnson of Rochester, Mayor Anthony Masiello of Buffalo, State Senator Byron Brown, State Senator Richard Dollinger, many Assemblymen and women, including Robin Schimminger, Sam Hoyt, Arthur Eve, Francine DelMonte, David Gantt. There are others who are also equally well qualified, including former Erie County Legislative Chairmen Len Lenihan and Chuck Swanick, Niagara Falls Councilman Paul Dyster, Niagara County District Attorney Matt Murphy, County Legislator Lynn Marinelli, etc.—the list goes on and on.

Engaging in a contest against other talented and honorable Democrats such as these is not

something I choose to do. Instead, I choose to pursue new horizons.

Until this very day, I have been making contingency plans to run, not knowing what the Court would ultimately decide. And the information I have been receiving, including polling data, has made it clear that I would win both a primary and a general election. The primary election because of the historic Democratic primary voter turnout in Erie, Niagara and Orleans Counties, which has always been far higher than the turnout in Monroe County (approximately 3 to 1); and the general because the new 28th has a significant Democratic voter registration advantage—the first time I would have had such an advantage.

But winning has never been the issue. The issue has been whether I wanted to seek new horizons within the new 28th District by getting to know and seeking to serve the 410,000 of the 654,000 residents who would be new constituents for me, or whether I wanted to seek new horizons elsewhere.

And so this time, this year, I have decided to pursue those new horizons elsewhere rather than seek re-election. I have no plans to retire. I am doing what so many in this country now do at my point in life—changing careers. Whether this career change will take me back to the law, or a career in social justice, academia, corporate governance or other public service, I simply do not know. But I am excited and enthusiastic at the prospect of exploring this vast range of new opportunities.

I am pleased to have been able to assist the citizens of Western New York and to help our local communities over the past three decades. While I have decided not to seek another term, I plan to continue working hard on behalf of my district and country for the balance of this year and beyond.

I have often been asked why I chose to be in public service. The answer is simple: there is no greater satisfaction than to serve one's community. I have consistently believed and said that public service gives one a unique opportunity not only to serve one's fellow citizens, but to be engaged in, and apply one's mind and heart to, the great issues of our day, to be fully involved in the action and passion of our time. My experience has underscored that perspective. I am grateful to the citizens of Western New York for giving me that privilege, and most especially, for the trust they have placed in me.

HONORING DR. PAUL PRIESZ OF
CALIFORNIA

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. McKEON. Mr. Speaker, I rise today to pay tribute to Dr. Paul Priesz, Principal of Valencia High School which is located in the Santa Clarita Valley. Recently, the Association of California School Administrators named him the top secondary principal in the state of California.

As June comes to an end and the school year closes, it is a fitting time to reflect upon the capable leadership of Dr. Priesz. He was assigned the formidable responsibility of planning and opening a new high school and has been the guiding influence at Valencia High

School since it opened in 1993. Today, the school is one of the premier high schools in Los Angeles County.

High school administration requires many qualities—including vision, dedication, patience, strength, energy, creativity, the competence to balance an impossibly busy schedule, a willingness to allow people to experiment, the expertise to support a wide variety of school programs and reforms, and the ability to understand the complexity of teens for whom each day presents a new crisis. Possessing all of the traits, Dr. Priesz is an exemplary high school principal.

A dynamic educator who is committed to educational quality and academic excellence, Dr. Priesz has developed programs to meet the scholastic and social needs of all students. He gives abundant support to the handicapped and underrepresented population and avidly endorses extra-curricular programs to foster student growth and achievement. "What is best for kids" is the guiding doctrine for all decisions made at Valencia High School.

Dr. Priesz is a dedicated leader who believes in his staff and students. He manages school programs by focusing attention on the importance of building collaborative relationships yet at the same time allowing everyone the creative freedom needed to accomplish their job. Dr. Priesz asks nothing of his staff that he is not willing to do himself, and he continually displays a sincere, caring demeanor. He is highly supportive of professional development and school reform initiatives in order to perpetuate a vigorous learning environment.

Mr. Speaker, Valencia High School is fortunate to have such an extraordinary principal. I want to thank Dr. Paul Priesz for his leadership, inspiration and high standards. He has made a positive impact on thousands of students. In turn, Dr. Priesz is making our great nation a better place to live.

H. RES. 467: INDEPENDENCE FOR
KOSOVA

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. GILMAN. Mr. Speaker, since the cessation of NATO's 1999 conflict with the Federal Republic of Yugoslavia, in Kosova remains under a United Nations mandate. But progress in Kosova is being held up by its lack of independence and its inability to determine its own fate. For that reason, I am introducing, together with the gentleman from California (Mr. LANTOS), a resolution expressing the sense of the House of Representatives that the United States should declare its support for the independence of Kosova.

The Kosovars, the United Nations, NATO and the international community are now making efforts to rebuild Kosova, revitalize its economy, establish democratic institutions of self-government, and heal the scars of war.

Under President Slobodan Milosevic, the Yugoslav government dismantled Kosova's political structures, replaced ethnic Albanians with Serbs in most jobs, enabled Serb-owned firms to take over Albanian-owned companies, and forbade Albanians from purchasing or improving property.

As a result of this systematic persecution and discrimination, today the unemployment rate in Kosova is currently between 60 and 70 percent, increasing the likelihood of Kosovars either entering criminal networks or working abroad in order to survive. The perpetuation of these economic difficulties heightens the potential for continued instability in the region.

The only way to address the problem of the chronic instability that plagues the region, and the way towards a genuine, long-term political and economic stability of Kosova and the region, lies not only in the physical and social reconstruction of Kosova, but in considering Kosovar independence as a solution. Unless massive job creation is facilitated by guaranteeing the security of foreign investments through an independent Kosova, the impact of these economic difficulties could prove detrimental to U.S. interests in the region.

Three years after the war's end, Kosova is already responsible for 93 percent of its budget, with 7 percent supplied by foreign donors, underscoring its commitment to growing a market economy, not an aid economy. Under the Yugoslav constitution of 1974, Kosova was equivalent in most ways to Slovenia, Croatia, and the other republics. In its position as an "autonomous province," Kosova, in practice, exercised the same powers as a republic. It has its own parliament, high courts, central bank, police service, and defense force. Through its definition in 1968 as a part of the Yugoslav Federal System, it gained representation at the federal level.

When Slovenia and Croatia demanded independence, similar arguments were made by Western governments against recognizing those countries. However, eventually the same Western governments did recognize not only the independence of Slovenia and Croatia, but Bosnia-Herzegovina and Macedonia as well, having discovered that independence for those nations involved not so much a change of borders as a change in the status of existing borders. The lines on the map remained the same, but their status was upgraded from republican to national. It is fitting that the Kosovars are allowed to follow the same path towards independence.

Accordingly, it is time for the United States to abide by its recognition that a right to self-determination exists as a fundamental right of all people through declaring its support for the independence of Kosova.

Mr. Speaker, for the information of my colleagues, I insert a copy of H. Res. 467 at this point in the RECORD.

H. RES. 467

Whereas the United States and the international community recognize that a right to self-determination exists as a fundamental right of all people;

Whereas Kosova was constitutionally defined as a sovereign territory in the First National Liberation Conference for Kosova on January 2, 1944, and this status was confirmed in the Constitution of the Socialist Federal Republic of Yugoslavia adopted in 1946, and the amended Yugoslav constitution adopted in 1974 preserved the autonomous status of Kosova as a de facto republic,

Whereas prior to the disintegration of the former Yugoslavia, Kosova was a separate political and legal entity with separate and distinct financial institutions, police force, municipal and national government, school system, judicial and legal system, hospitals and other independent organizations;

Whereas Serbian dictator Slobodan Milosevic rose to power in 1987 on a platform

of ultranationalism and anti-Albanian racism, advocating violence and hatred against all non-Slavs and specifically targeting the Albanians of Kosova,

Whereas Slobodan Milosevic subsequently stripped Kosova of its self-rule, without the consent of the people of Kosova;

Whereas the elected Assembly of Kosova, faced with these intolerable acts, adopted a Declaration of Independence on July 2, 1990, proclaimed the Republic of Kosova, and adopted a constitution on September 7, 1990, based on the international legal principles of self-determination, equality, and sovereignty;

Whereas in recognition of the de facto dissolution of the Yugoslav federation, the European community established principles for the recognition of the independence and sovereignty of the republics of the former Socialist Federal Republic of Yugoslavia and Kosova fully satisfied those principles as a de facto republic within the federation;

Whereas a popular referendum was held in Kosova from September 26-30, 1991, in which 87 percent of all eligible voters cast ballots and 99.87 percent voted in favor of declaring Kosova independent of the Socialist Federal Republic of Yugoslavia,

Whereas, from the occupation of Kosova in 1989 until the North Atlantic Treaty Organization (NATO) military action against the Milosevic regime in 1999, the Albanians of Kosova were subjected to the most brutal treatment in the heart of Europe since the Nazi era, forcing approximately 400,000 Albanians to flee to Western Europe and the United States;

Whereas in the spring of 1999 almost 1,000,000 Kosovar Albanians were driven out of Kosova and at least 10,000 were murdered by the Serbian paramilitary and military;

Whereas Slobodan Milosevic was indicted by the International War Crimes Tribunal and extradited to The Hague in June 2001 to stand trial for war crimes, crimes against humanity, and genocide in Kosova, Bosnia, and Croatia;

Whereas the United Nations established Kosova as a protectorate under Resolution 1244, ending the decade long Serbian occupation of Kosova and Milosevic's genocidal war in Kosova;

Whereas Kosovar Albanians, together with representatives of the Serb, Turkish, Roma, Bosniak, and Ashkali minorities in Kosova, have held free and fair municipal and general elections in 2000 and 2001 and successfully, established a parliament in 2002, which in turn elected a president and prime minister;

Whereas 50 percent of the population in Kosova is under the age of 25 and the unemployment rate is currently between 60 and 70 percent, increasing the likelihood of young people entering criminal networks, the source of which lies outside of Kosova, or working abroad in order to survive unless massive job creation is facilitated by guaranteeing the security of foreign investments through an orderly transition to the independence of Kosova;

Whereas the Kosova parliament is committed to developing a western-style democracy in which all citizens, regardless of ethnicity, are granted full human and civil rights and are committed to the return of all noncriminal Serbs who fled Kosova during and after the war; and

Whereas there is every reason to believe that independence from Serbia is the only viable option for Kosova, after autonomy has failed time and time again: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the United States should—

(1) publicly support the independence of Kosova and the establishment of Kosova as a

sovereign and democratic state in which human rights are respected, including the rights of ethnic and religious minorities, as the only way to lasting peace and stability in the Balkans;

(2) recognize the danger that delay in the resolution of Kosova's final status poses for the political and economic viability of Kosova and the future of Southeast Europe;

(3) work in conjunction with the United Nations, the North Atlantic Treaty Organization, and other multilateral organizations to facilitate an orderly transition to the independence of Kosova; and

(4) provide its share of assistance, trade, and other programs to support the government of an independent Kosova and to encourage the further development of democracy and a free market economic system.

HONORING THE WORK OF GLORIA
BURKE

HON. WILLIAM D. DELAHUNT

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. DELAHUNT. Mr. Speaker, I rise today to pay tribute to a woman who has dedicated her life to the safety and well being of the children and families in Weymouth, Massachusetts. She is an individual with a noble sense of compassion and integrity, who is being honored today on the occasion of her retirement from Weymouth Youth & Family Services after 30 years of devoted service.

After receiving her Bachelor's Degree at the University of Massachusetts Boston, Gloria earned a Master's degree in Counseling Psychology from Cambridge College. As a Licensed Clinical Social Worker and Family Therapist, Gloria came to the aid of countless struggling families to overcome the challenges associated with poverty, substance abuse, child abuse, domestic violence, and other social ills.

In 1971, Gloria was hired as the Community Education Director and Therapist for Weymouth Youth and Family Services. After ten dedicated years, Gloria's talents were recognized and she was asked to serve as the organization's Director, the position in which she has excelled in for two decades. Under Gloria's direction, Weymouth Youth and Family Services has provided food to the hungry, shelter to the homeless, financial assistance to the poor, and counseling to those in crisis. For several years, I have been a proud participant in the Weymouth Youth & Family Services' Annual Christmas Celebration, which Gloria founded and has raised thousands of dollars each year to benefit families in need during the holiday season.

During her tenure with the Weymouth Youth & Families Services office, Gloria has faced head-on the difficult challenges facing the youth in the community—from suicide to drug use, from racism and to violence. Her work as part of the Teen Facility Development Committee, which converted the shuttered police station into a thriving teen center, stands as a testament to Gloria's commitment to providing a promising future for the youth in the Town.

Gloria Burke is Weymouth's own in the truest sense. Born in the Town, she was educated in its public school system, and continues to live there today with her husband Jack, with whom she raised four children.

I am honored today to call Gloria Burke one of my closest friends. She has been a role model for me and the many thousands of those in Weymouth who have been touched by her genuine giving and caring nature. I know that her legacy will continue to be a lasting inspiration to future generations who wish to serve the community.

INTRODUCTION OF BELARUS
DEMOCRACY ACT

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. SMITH of New Jersey. Mr. Speaker, I am introducing today the Belarus Democracy Act of 2002, which is intended to help promote democratic development, human rights and the rule of law in the Republic of Belarus, as well as encourage the consolidation and strengthening of Belarus' sovereignty and independence. When measured against other European countries, the state of human rights in Belarus is abysmal—it has the worst record of any European state.

Through an illegitimate 1996 referendum, Alexander Lukashenka usurped power, while suppressing the duly-elected legislature and the judiciary. His regime has blatantly and repeatedly violated basic freedoms of speech, expression, assembly, association and religion. The fledgling democratic opposition, non-governmental organizations and independent media have all faced harassment. There are credible allegations of Lukashenka regime involvement in the disappearances—in 1999 and 2000—of opposition members and a journalist. There is growing evidence that Belarus is a leading supplier of lethal military equipment to rogue states. A draft bill is making its way in the Belarusian legislature that would restrict non-traditional religious groups. Several days ago, on June 24, two leading journalists were sentenced to two and 2½ years, respectively, of "restricted freedom" for allegedly slandering the Belarusian President.

Despite efforts by Members of Congress, the Helsinki Commission which I co-chair, the State Department, various American NGOs, the Organization for Security and Cooperation in Europe (OSCE) and other European organizations, the regime of Alexander Lukashenka continues its hold onto power with impunity and to the detriment of the Belarusian people.

One of the primary purposes of this bill is to demonstrate U.S. support for those struggling to promote democracy and respect for human rights in Belarus despite the formidable pressures they face from the anti-democratic regime. The bill authorizes increases in assistance for democracy-building activities such as support for non-governmental organizations, independent media—including radio and television broadcasting to Belarus, and international exchanges. The bill also encourages free and fair parliamentary elections, conducted in a manner consistent with international standards—in sharp contrast to recent parliamentary and presidential elections in Belarus which most assuredly did not meet democratic standards. As a result of these elections, Belarus has the distinction of lacking legitimate presidential and parliamentary leadership, which contributes to that country's self-imposed isolation.

In addition, this bill would impose sanctions against the Lukashenka regime, and deny high-ranking officials of the regime entry into the United States. Strategic exports to the Belarusian Government would be prohibited, as well as U.S. Government financing, except for humanitarian goods and agricultural or medical products. The U.S. Executive Directors of the international financial institutions would be encouraged to vote against financial assistance to the Government of Belarus except for loans and assistance that serve humanitarian needs.

The bill would require reports from the President concerning the sale or delivery of weapons or weapons-related technologies from Belarus to rogue states.

Mr. Speaker, finally, it is my hope that this bill will help put an end to the pattern of clear, gross and uncorrected violations of OSCE commitments by the Lukashenka regime and will serve as a catalyst to facilitate Belarus' integration into democratic Europe in which democratic principles and human rights are respected and the rule of law prevails.

LTC RICHARD WANDKE ARMY
RANGER HALL OF FAME INDUCTION

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. ROYCE. Mr. Speaker, I rise today to congratulate and to pay tribute to U.S. Army Ranger LTC Richard "Tex" Wandke (Ret) of Cypress, CA, on his induction into the Ranger Hall of Fame for exceptional valor and honor throughout his distinguished 25-year military career.

In 1963, LTC Wandke graduated as the Distinguished Military Student from the University of Maine, then went on to complete Ranger school and was assigned as a platoon leader for the Fourth Infantry Division. He then volunteered to serve his country in Vietnam, and was assigned as an advisor to the 43rd Vietnamese Ranger Battalion.

During his service, LTC Wandke earned various honors for his actions in combat, including two Silver Stars, the Legion of Merit, Three Bronze Stars and Three Purple Hearts. He also earned the Distinguished Service Cross through his valorous conduct in commanding his company on a search and destroy mission in Vietnam on May 27, 1969. When one of the rifle squads under his command surprised seven enemy soldiers and opened fire, hostile reinforcements soon arrived in huge numbers and unleashed tremendous firepower on his company's perimeter. LTC Wandke rallied his men to break the enemy assault, and then directed all of the able men under his command to establish a landing zone to evacuate the wounded. Although wounded himself, LTC Wandke stayed behind to protect the dead and critically wounded, and prevented the enemy from overrunning his position.

Since retiring from active service in 1988, LTC Wandke has been teaching high school ROTC. He is also active in several veterans organizations and was the National commander of the Legion of Valor from 1995–1996. Through his service both on the battlefield and off, he has exemplified the Ranger Creed: Rangers Lead the Way!

Mr. Speaker, I can think of no individual more deserving of inclusion in the Ranger Hall of Fame than LTC Richard "Tex" Wandke. I believe that every American owes LTC Wandke a debt of gratitude, and that he is a singularly excellent role model for all Rangers. I congratulate him on his impressive accomplishment and encourage him to continue his service to the community.

PAYING TRIBUTE TO STACEY
ANNE YOUNG

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to wish Stacey Anne Young congratulations upon her acceptance into the University of Detroit Mercy School of Law. She is a hard working individual who has worked with me for the past three years. Her presence will be greatly missed by all.

As a 1999 graduate of James Madison College at Michigan State University, Stacey began working for me shortly thereafter in the Michigan Senate as my Executive Assistant. She was the Committee Clerk for the Senate Human Resources, Labor, Senior Citizens, and Veterans Affairs Committee along with being the scheduler of my day-to-day activities. At all times, Stacey presented herself with professionalism to all of those with whom she came in contact.

Most recently, Stacey played an integral role in my office in the United States House of Representatives. As my office manager, she was responsible for setting up the office, for managing a million dollar office budget, and for supervising several key members of my staff. She also was an asset as my scheduler and coordinated all of my events and appointments in Washington, DC and in Michigan.

I am extremely impressed with Stacey's positive attitude and dedication. Her sensitivity, diligence, energy, and sense of humor made working with her a joy.

Mr. Speaker, I ask my colleagues to join me in congratulating Stacey Anne Young for her acceptance to law school where I know she will achieve the highest commendation. I wish her much success in all of her future endeavors.

IN HONOR OF KEN PETERSON

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. THOMAS. Mr. Speaker, I rise today to honor the life of a friend and fellow public servant from my Congressional district, Kern County Supervisor Ken Peterson.

Ken was committed to his family, his faith, and his community. Becky, his wife, their eight children and three grandchildren, were Ken's inspiration, support structure and compass. They knew well Ken's motto, "working quietly and effectively." It exemplified the life he led.

The Petersons moved to Bakersfield in the 1970s from Orange County, California. Before dedicating his career to serving his community

in public office, he owned and operated a local family business, contributing to the growth and development of the area. In the process, gaining a better understanding of the needs of the people he would later serve.

In 1992, Ken was elected to the Kern County Board of Supervisors and was re-elected to subsequent terms in 1996 and 2000. Previously, Ken served as a member of the Bakersfield City Council, including 2 years as Vice-Mayor. He served as Chairman of the Board of Supervisors in 1995 and 2000 and ably represented Kern County before the United States Senate and House Subcommittees, testifying on the issue of Endangered Species Act Reform.

Ken and I worked together on a number of issues over the years: hospital funding, oil and energy production, land use, private property rights, along with other local concerns of the people who live and work in Bakersfield and Kern County.

A strong advocate for local control and personal responsibility, Ken believed in welfare reform that empowers individuals so that they could take control of their lives. He was also committed to making government more business friendly. He was an ardent protector of free speech and a defender of the Boy Scouts of America. An avid outdoorsman, he enjoyed golf, hunting, hiking and camping with his family.

Ken Peterson was an original. I was honored to know him and work with him. Ken will be missed.

RELATING TO CONSIDERATION OF
SENATE AMENDMENT TO H.R.
3009, ANDEAN TRADE PROMOTION
AND DRUG ERADICATION ACT

SPEECH OF

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2002

Ms. WATERS. Mr. Speaker, I rise to oppose H. Res. 450, an unprecedented and undemocratic "bill-in-a-rule" on our nation's trade policy.

Normally, the House passes a "rule" to specify the procedures for consideration of a bill. A "rule" for the consideration of a trade bill would determine how many amendments will be allowed and how long the debate will last before a final vote on the bill. H. Res. 450, however, is a "rule" that actually provides for the automatic passage of a 191-page trade bill. The Republican leadership is trying to force the Congress to pass a 191-page trade bill with no opportunity for amendments, no final vote on the bill and virtually no time for debate.

This 191-page "bill-in-a-rule" includes the text of H.R. 3005, the Republican Fast Track trade bill that was passed by the House on December 6, 2001, by a one-vote margin. H.R. 3005 is a trade bill that would sacrifice labor and environmental protection in the name of free trade.

H.R. 3005 would not require our trade negotiators to promote labor rights or protect the environment. It would not even require our trading partners to prohibit sweatshops, forced labor, child labor or slavery. Instead, it would allow our trading partners to weaken their en-

vironmental standards in order to gain a competitive advantage over the United States. It would also require our trade negotiators to expand the rights of foreign investors to sue governments and demand compensation for the impacts of public interest, food safety and environmental regulations. Clearly, H.R. 3005 would do more to promote corporate power than trade.

The Republican leadership's "bill-in-a-rule" also includes several trade provisions that have never been considered by Members of the House of Representatives. This "bill-in-a-rule" cannot be amended and has never been considered by any House committee with jurisdiction over any aspect of our nation's trade policy.

I urge my colleagues to oppose this "bill-in-a-rule" that attempts to expand corporate power without committee hearings, markups or amendments and only one hour of debate on the Floor of the people's House.

UPON THE OCCASION OF COST OF
GOVERNMENT DAY

HON. ADAM H. PUTNAM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. PUTNAM. Mr. Speaker, this year Cost of Government Day falls on June 29. This date represents the day on which the average American worker has earned enough gross income to pay off his or her share of the tax and regulatory burdens imposed by all levels of government—federal, state and local.

The largest component of the Cost of Government is federal taxes, which account for 44 percent of your total cost of government. Federal regulation, state and local taxes each account for another 21 percent, with state and local regulation accounting for 13 percent.

Cost of Government Day is 2 days earlier than it was last year and lower than it has been in 5 years, since 1997. This is primarily due to the two tax cuts passed by Congress and championed by President George W. Bush. The Economic Growth and Tax Reform Reconciliation Act of 2001 (EGTRRA), enacted in May 2001, and the Job Creation and Worker Assistance Act of 2002, enacted in March 2002 have moved Cost of Government Day in the right direction.

This decline is all the more remarkable because the United States is involved in a major military conflict, the war on terrorism, and is emerging from an economic slump. The economic downturn, which was almost certainly exacerbated by the September 11 terrorist attacks on New York and Washington, could have had a more negative effect on our recovery. Through the swift action of Congress and President Bush, appropriate policies to encourage economic growth, including reducing interest rates and taxes were implemented. Through the partnership of President Bush and Congress, America's workers, entrepreneurs and investors were given the means to put our economy on the road to recovery.

The Cost of Government is still substantially higher than during the 1980s, when President Reagan led the nation in bringing Cost of Government Day down to mid-June—returning to that level should be our goal.

A lower Cost of Government means more of the money produced by workers, investors

and entrepreneurs is left in the hands of those who earned it; the taxpayer. A lower cost of government expands economic freedom for all Americans. A lower cost of government increases personal choice and control. A lower cost of government allows those participating in the economy to choose what to consume, how much to save or invest. Ultimately, a lower cost of government allows every American to improve their quality of life and to spend more of their hard earned money on the things most important to themselves and their family.

THE INTELLECTUAL PROPERTY
PROTECTION ACT

HON. LAMAR S. SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. SMITH of Texas. Mr. Speaker, today is world Anti-Counterfeiting day.

Countries around the globe will highlight the growing problem of counterfeiting and the efforts by law enforcement and private industry to combat intellectual property theft.

Today I introduced a bill to address counterfeiting and copyright piracy. The Intellectual Property Protection Act will help protect American innovation and creativity.

The Intellectual property industry employs 4.3 million Americans, making it one of the largest sectors of the American economy—and a sector threatened everyday by copyright piracy.

Copyright piracy is illegal and puts Americans at risk of losing not just their jobs and economic well-being, but their safety, as well. The profits seized by these criminals are often used to fund other illegal activities, including terrorism.

News stories have revealed that terrorist organizations receive hundreds of millions of dollars through pirate operations. For example, police in Argentina and Paraguay uncovered a pirate CD business that has used its profits to underwrite terrorist activities for Hezbollah. The more we crack down on piracy, the more we dry up financial resources for terrorist operations.

Under current law, we can prosecute someone for trafficking in fake labels for a computer program, but we cannot prosecute someone for faking the hologram used by the software maker to verify that the software is genuine.

For instance, if a person manufactures fake covers for counterfeit CDs, he or she can be prosecuted. However, if that same person creates fake holograms to make buyers believe that the CDs are authentic, there is no recourse.

We have criminalized trafficking in counterfeit documentation and packing of software programs, but not music and other products.

The Intellectual Property Protection Act will criminalize the counterfeiting of authentication features, like holograms. In addition, the bill will expand criminal law, which currently only criminalizes trafficking in counterfeit documentation and packaging for software programs, to include documentation and packaging for music, motion pictures, and other audiovisual works.

This bill also will provide relief for victims of intellectual property crimes. Many of these

crimes go unprosecuted today, leaving victims of these thefts without a way to recover their losses.

Last year, the retail software industry lost \$1.8 billion and the business software industry lost \$11 billion in revenue because of piracy. The motion picture industry lost \$3 billion in potential worldwide revenue and the recording industry lost \$4.3 billion worldwide due to piracy. These are staggering figures—especially considering there is no way to recover this lost revenue.

The legislation provides a private cause of action with a 3-year statute of limitations for victims to recover damages in federal court. In addition, if a person violates the anti-counterfeiting laws a second time within three years, treble damages will be available.

We must protect and encourage American originality and innovation. This bill goes a long way towards doing that.

RECOGNIZING THE HISPANIC ASSOCIATION OF COLLEGES AND UNIVERSITIES (HACU) NATIONAL INTERNSHIP PROGRAM

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. REYES. Mr. Speaker, as Chair of the Congressional Hispanic Caucus, I rise today to recognize the achievements of the Hispanic Association of Colleges and Universities (HACU) National Internship Program and its federal and private-sector partners in providing Hispanic college students with invaluable real world working experiences that have allowed these students to make more educated career choices.

Over the past ten years, the HACU National Internship Program (HNIP) has introduced more than 3,800 Hispanic college students to meaningful paid internships with federal and corporate partners during the spring, summer and fall. This has become the largest Hispanic college internship program in the United States.

The HACU National Internship Program exposes these students to public and private sector career opportunities and specifically helps address the historic under-representation of Hispanics in the federal work force. Many former interns are now full-time federal employees and managers, proving that the program truly is making a difference.

On July 10, 2002, the HACU National Internship Program will celebrate its 10th Anniversary at a "Red, White y Azul—Investing in the American Dream," Gala in Washington, D.C. This gala will showcase the achievements of former and current interns as part of a summer-long series of special events marking this remarkable program's first 10 years.

The HACU National Internship program began in 1992 with 24 interns. In 2001 alone, the program provided paid 10- and 15-week internships to 632 interns working at 19 federal agencies and five private corporations in Washington, D.C., and at locations throughout the United States. By the end of 2002, the program likely will set another record in the numbers of participating interns from throughout the country.

This competitive program selects top students from among HACU's 318 member and

partner colleges and universities, which collectively serve more than two-thirds of all Hispanic students in higher education. This program provides meaningful work experiences to these students by matching their skills and career goals with the objectives of federal and corporate partners, enabling these students to make more informed career choices.

Based on formal program evaluations from students and supervisors, the HACU National Internship Program boasts a proven track record in positively addressing the underrepresentation of Hispanics in the federal work force. Ninety-five percent of students surveyed in 2001 rated their internship experience in the federal government as "excellent." More importantly, 73 percent of the 2001 summer students stated that they are interested in pursuing a career in federal service. Of those students, 82 percent said it was a direct result of their internship experience.

Mr. Speaker, it is no secret that Hispanics remain the only under-represented ethnic group in the federal government. As you know, Hispanics currently comprise 11.9 percent of the civilian labor force but only 6.7 percent of the permanent federal workforce. Recent reports also estimate that within the next five years, more than 50 percent of the current federal work force will become eligible to retire.

As the youngest and now largest ethnic population, Hispanics already make up one of every three new workers in the overall workforce, and by 2050 are projected to make up one of every two new workers. Thus, the HACU National Internship Program directly addresses both the historic under-representation of Hispanics in the federal labor force and the need to address the coming shortage of public service sector employees overall.

In addition, this program fully supports White House Executive Order 13171, which requests that federal agencies increase their outreach to the Latino community and support programs that help address the continuing under-representation of Hispanics in federal workforce ranks. The HACU National Internship Program is Point Four in the Office of Personnel Management Nine-Point Hispanic Employment Initiative as an effective, proven tool to recruit well-qualified Hispanics into the federal government.

I salute those who have made the HACU National Internship Program a success. Their efforts will continue to open the doors to opportunity for new generations of exceptional students while enhancing the diversity of our workforce.

A SPECIAL TRIBUTE TO THE CITIZENS OF OTTAWA COUNTY ON THE DEDICATION OF THE NEW PERRY'S MEMORIAL VISITORS' CENTER

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to pay special tribute to those dedicated individuals from Ohio's Fifth Congressional District who made this new visitors' center at Perry's Memorial a reality.

Mr. Speaker, The new visitors center at Perry's Victory and International Peace Memorial

is a welcome addition to this to this wonderful park, and one that has been long sought.

The monument itself has long stood as an inspiring reminder of the enduring peace of nearly two centuries between the United States and Canada. It is a moving and educational destination for thousands of families.

The park and monument commemorate one of the most important and decisive battles in American history. The victory of Commodore Perry and American naval forces over the British off the shores of this island changed the course of American history, and facilitated the westward movement of our nation across the continent. It ushered in an unprecedented period of peace and friendship.

The visitors' center for the first time provides a means of explaining to visitors the significance of these events. It is the culmination of the efforts of many over a period of years. Some years ago I met with the leaders of the Perry Group, citizens joined together to promote this park, to begin discussions regarding the need for this center and how to achieve it. I commend the group and its strong leaders such as Judge George Smith and Ann Heidenreich Fisher for their tireless and successful work.

I was fortunate to obtain approximately two million dollars in federal funds so that this project could come to fruition, and I wish to thank my colleague, Congressman RALPH REGULA, for his invaluable help in making it happen. I also commend the superintendents at the park during this period for their efforts in support of this center, including our current Superintendent Ralph Moore, and his predecessors Dick Lusardi and Phyllis Ewing.

Mr. Speaker, I ask my colleagues to join me in paying special tribute to the diligent effort and unwavering spirit of those individuals determined to see this project through to completion. Our communities are served well by having such honorable and giving citizens who care about the education that future generations receive so that our historical landmarks are preserved well into the future. I am confident that this new visitors' center will serve as an educational tool for all, and be our link to a piece of American, and Ohio, history.

PERSONAL EXPLANATION

HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. NETHERCUTT. Mr. Speaker, on Monday, June 24, 2002 I missed the following votes. Had I been present I would have voted "yes" on the following votes:

Rollcall Vote No. 249—H.R. 3937, a bill to revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California.

Rollcall Vote No. 250—H.R. 3786, the Glen Canyon National Recreation Area Boundary Revision Act of 2002.

Rollcall Vote No. 251—H.R. 3971, a bill to provide for an independent investigation of Forest Service firefighter deaths that are caused by wildfire entrapment or burnover.

Rollcall Vote No. 252—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.

REAFFIRMING OUR SUPPORT FOR NATO AND ENLARGEMENT

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. GALLEGLY. Mr. Speaker, today I am introducing a Resolution which addresses the importance of NATO, its future, enlargement and continued U.S. support for the Alliance.

In just five months, the Heads of State and leadership of NATO will meet in Prague to, among other things, discuss the future of the Alliance and its capability to address new and emerging threats and to make a decision on the enlargement of the alliance. It has been eight months since the House of Representatives debated NATO enlargement and overwhelmingly passed the Gerald Solomon Freedom Consolidation Act.

Since then, there has been a great deal of debate within the Bush Administration, within the international community of experts and among the NATO partners with respect to NATO's future.

But since we last discussed whether new members should be invited into NATO, I felt we should take a moment to discuss exactly what type of alliance we will be inviting new members to join and what we believe the role of this alliance should be in the future. I also wanted to address the relationship between NATO and Russia which many Members raised during the House debate on the Solomon bill last November.

To that end, as Chairman of the Europe Subcommittee I held three comprehensive hearings on the question of NATO and enlargement. We heard from outside experts, we met with the Ambassadors of the ten candidate states and we heard from the Bush Administration and our SACEUR. The resolution I am introducing today is the work product of those hearings and all the other meetings and briefings which have taken place in between.

Clearly, NATO must maintain its political purpose and military coherence.

In this context, I disagree with those who believe that in this post-Cold War and post-September 11 era, NATO may no longer be relevant to the overall security of the United States.

NATO is indeed relevant to the U.S. NATO remains the foundation of American security policy in Europe. NATO has proven to be a strong and viable alliance preserving the collective security of Europe for over 53 years.

Back in 1949, when the Senate debated the ratification of the North Atlantic Treaty there was concern about what Article 5 would commit the U.S. to do in Europe. Isn't it ironic that the first time in 53 years Article 5 was invoked, as it was on September 12, it was invoked by our allies in defense of the U.S.

NATO was relevant in ending the brutal conflicts in both Bosnia and Kosovo. Today, our NATO Allies provide eighty percent of the military forces remaining in those countries. And, NATO, working with the European Union, was instrumental in helping resolve the problem in Macedonia before things got out of hand.

Since September 11, NATO's relevance has been clear with respect to the campaign against global terrorism and the war in Afghanistan. Although the Afghan campaign was

never a NATO operation, fourteen of our allies from NATO, with some 5,000 troops are operating today side-by-side with U.S. military forces in Afghanistan as many of them have been since the first days of the conflict. Just last week command of the International Security Force transferred from British forces to Turkish forces, both NATO partners. Where would the U.S. effort be if these NATO partners considered themselves too irrelevant to help keep the peace in Afghanistan. Whose 5,000 troops would be patrolling the streets of Kabul if not for NATO forces.

I also disagree with those who believe that unless NATO is willing to undergo major restructuring to become a global rapid reaction force in the war on terrorism, it can no longer be relevant. Global terrorism and weapons of mass destruction are challenges worthy of NATO concern and capability to act against and NATO must seriously address these issues between now and Prague. But at the Ministers meeting in Reykjavik in May and the Defense Ministerial in June, NATO leaders did address the realities of the new and emerging threats and have committed, with strong U.S. support, to build the capabilities necessary to address them. For many, NATO does not have to be present in places like the Philippines, or Sudan or Kashmir or even Iraq to be relevant. These matters, while important, should not be seen as the only issues which define NATO for the future.

With respect to Russia, I believe the concerns expressed by some of our Colleagues last November and since then had great merit and needed to be clarified by NATO. At the Iceland summit, the U.S. and NATO initiated a new relationship with Russia which resulted in the formation of a new NATO-Russia Council which was inaugurated in June at the Rome summit between NATO heads of state and Russia President Putin. I believe this new relationship represents a breakthrough in NATO-Russia relations and should address the concerns of many.

Finally, an essential aspect of NATO is the welcoming of new members into the alliance.

I believe enlarging NATO does contribute to the overall security of the United States because membership in NATO does enhance overall European stability and security. We are encouraged by the number of applicants for NATO membership and their dedication and enthusiasm to achieving that goal. As we all know, there are ten applicant countries who have decided that NATO is certainly relevant to them and an organization in which they wish to be a member. But, NATO membership for them is more than joining a military alliance. For them, it will be a validation of their return to being democratic, European and pro-western states. The process under which these applicants are being evaluated, called the Member Action Plan, has been a useful tool for us to analyze their own commitment to meeting the political, economic and military standards expected of all members of the Alliance.

Mr. Speaker, my resolution addresses all of these issues in a comprehensive way. Our Subcommittee intends to mark this resolution in the Fall and will consider endorsing candidate countries for NATO membership at that time and based on the best information we have on their readiness to contribute to the overall security of the Alliance. It is my hope that the House Leadership will then make time

for another opportunity to debate NATO and the enlargement issue.

Mr. Speaker, I believe NATO is as important for transatlantic security today than it was fifty three years ago when it was created. I ask my Colleagues to cosponsor my resolution and to continue to support NATO.

SUPPORTING H.R. 4635—ARMING
PILOTS AGAINST TERRORISM ACT

HON. JIM MATHESON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. MATHESON. Mr. Speaker, I rise in support of H.R. 4635 the Arming Pilots Against Terrorism Act. This is a very sensible piece of legislation. We have a duty to provide pilots with the same tools shop keepers and mall security guards and others use in the protection of their property and the safety of their customers.

As the events of the morning of September 11 unfolded, the President gave the Air Force the authority to shoot down any commercial airline that did not respond to authorities. For the first time in our history, the American military had the authority to take action against American civilians.

That single horrible thought—that the United States government might have to use lethal force against American citizens who were unlucky enough to get on the wrong flight—should give us enough reason to pass this legislation.

Pilots need a last line of defense. They need the ability to defend the plane, the cockpit, and most of all, the passengers. We need to give our pilots the same opportunity for self-defense our Constitution provides to everyone else.

This is a good compromise. It is the product of good legislating workmanship by Chairman YOUNG, Chairman MICA, and Congressmen OBERSTAR and LIPINSKI. It is an example that debates about the Second Amendment need not be filled with mischaracterized rhetoric, but rather be premised on what's good for the American people.

PERSONAL EXPLANATION

HON. WILLIAM L. JENKINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. JENKINS. Mr. Speaker, I was not present to cast my votes on rollcall votes 247 through 257 on June 21, 24, and 25, 2002. Had I been present, I would have voted "no" on rollcall 247. I would have voted "aye" on rollcall votes 248 through 257.

HONORING STUDENTS, PARENTS,
TEACHERS, AND ADMINISTRATORS
OF CSD 30

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. CROWLEY. Mr. Speaker, I rise to acknowledge to the parents, teachers and stu-

dents of Community School District 30 in Queens, NY.

Community School District 30, comprised of the neighborhoods of Sunnyside, Woodside, Astoria, Long Island City, Jackson Heights, and East Elmhurst is one of America's most diverse school districts and truly represents the face of America.

School District 30 serves some of the most diverse students in New York City and over 50 languages are spoken in the homes of the kids who go there.

A recent state-mandated report noted that the most recently reported test scores are among the best in the city.

In fact, for 2 years in a row, the district beat its target scores on State tests. And this year the suspension rate is down by 58.9 percent. These results are not coincidence. These results are because of the district's commitment to improving its schools. They employ innovative approaches to addressing the problems faced by all schools such as peer mediation and crisis intervention before students become a problem. Their Operation Return program, sends students with disciplinary problems to one school where they can get one-to-one counseling and receive excellent instruction in small groups. The program gives the kids confidence they need to succeed when they return to their permanent schools.

School District 30 is a wonderful story and credit is due to a lot of people, but one I would like to credit is superintendent, Dr. Angelo Gimondo. And also the wonderful United Federation of Teachers members who give their heart and soul to teaching the kids of School District 30. School District 30 can serve as an example, not only for other school districts, but also for us in Congress. School District 30 is an example of what happens when public officials—who provide adequate funding for educational programs—work with teachers, parents, and administrators to care for our young people.

PERSONAL EXPLANATION

HON. BARON P. HILL

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. HILL. Mr. Speaker, on June 24, 2002, due to a delayed flight, I missed three votes on the House floor.

Had I been present, I would have voted "yes" on rollcall votes 249, 250, and 251.

HONORING JUSTICE MOSES M.
WEINSTEIN

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. ACKERMAN. Mr. Speaker, I am pleased to rise today to honor Justice Moses M. Weinstein, a distinguished public servant and a good friend on the occasion of his very special birthday.

Moses Weinstein served for eleven years in the New York State Assembly, where he was Majority Leader from 1965 to 1968. He was Speaker of the Assembly in 1968 and served

as Acting Governor of the State of New York during August 1968. In 1970, Moses Weinstein was elected to a fourteen-year term as a Justice of the Supreme Court of New York State.

During his time as a legislator, Justice Weinstein sponsored the following important pieces of legislation: Creation of Crime Victims Compensation Board; creation of Temporary State Commission for Transplantation of Vital Organs; increasing number and amount of Regent Scholarships; and creating Mid-Atlantic States Air Pollution Control Committee.

Justice Weinstein has also been an integral member of his local community. The following is a list of some of his countless activities in his home community: Director and Treasurer of the Queens County Multiple Sclerosis Society; organizer of the Queens Children's Rehabilitation Service; charter board member of the Mid-Queens Child Guidance Center; and counsel to the Kew Gardens Hills Athletic Association.

Justice Weinstein has also been the recipient of countless awards and dedications. Among his awards are: "Human Rights" award from B'nai B'rith for "outstanding and distinguished leadership in the cause of human rights"; and commendation during Battle of the Bulge, United States Army; U.S.O. Man of the Year; Queens Lighthouse Man of the Year; Distinguished Service Award from the Queens Country Optometrical Society; Anti-Defamation League award from B'nai B'rith; Annual Legislative Award from the Jewish War Veterans of New York State; Annual Meritorious Citation from Affiliated Young Democrats of New York State; "Man of the Year" award, 1983, from Brooklyn Law School; Honorary degree of Doctor of Laws, 1983, by Brooklyn Law School; President, Zion Organization of Kew Gardens Hills; Member of the National Executive Committee of Zionist Organization; President, Patrons Club of Long Island Zionist Region; Long Island Chairman of Israel Bonds Campaign; and United Jewish Appeal, Chairman.

Justice Weinstein is a resident of Kew Gardens Hills where he lives with his wonderful wife, the former Muriel Marshall. The Weinsteins are the proud parents of three sons, each of whom have followed their father's example into the field of law. His son Jonathan is currently a Supreme Court Examiner in Queens County; his son Peter, formerly a State Senator in Florida, is presently a Circuit Court Judge; and his son Jeremy, a former New York State Senator, is a Justice of the Supreme Court of New York.

I ask my colleagues to join me in honoring Justice M. Weinstein on this special birthday occasion. Justice Weinstein's illustrious career, tireless dedication and unmatched kindness will be a beacon of guidance for future generations of civil servants, jurors and legislators.

CONGRATULATING MS. DELORES
A. HOLMES

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to thank and congratulate Ms. Delores

A. Holmes upon her retirement as Director of Family Focus in Evanston, Illinois. Through her lifelong journey of service in Evanston, Delores has proven to be a true community hero.

For more than 26 years, Delores has reached out with persistence and optimism to promote healthy child development through family support. From her work with teenage parents, to engaging students through after-school programs, to providing important childcare and early learning opportunities for infants and toddlers, she has sought out and served those most in need. What Delores Holmes does best is teach people to see the greatness in themselves and in their community. She provides them with the tools they need to achieve their fullest potential.

Delores' dedication, selflessness, and insight have inspired and motivated citizens from all economic levels and from all walks of life. Her passionate fight to improve our community and empower our neighborhoods have earned her many awards and countless tributes from all around the nation, including recognition from the National Head Start Parent Association, the NAACP Community Work Award, and Parent Magazine's As They Grow Award.

Delores' perseverance and desire to get the most out of life and to improve the lives of others is evident in her own story. After marrying and having two children, Delores went back to school to earn a bachelor's degree from Northeastern Illinois University, and then ten years later, a Master's degree in education from the National College of Education in Evanston, IL. She went on to donate her time to numerous organizations and committees, and has served on the Board of Directors of the National Organization of Adolescent Pregnancy and Parenting, the Northern Cook County Private Industry Council, and the Evanston Chamber of Commerce.

On behalf of the community to which she has given so much, I thank Delores for her outstanding commitment and dedication. Her legacy of service will always be remembered and appreciated. I wish her health and happiness in her retirement.

IN RECOGNITION OF THE 10TH ANNIVERSARY OF THE INCORPORATION OF THE TOWN OF WINDSOR

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize the Town of Windsor in Sonoma County California as this community celebrates the tenth anniversary of its incorporation.

Windsor has been a prosperous rural community for more than 150 years. The first Post Office was established in 1855 and by the 1870s it was a regular stop on the railroad line. The town's first housing development was completed in the 1950s and by the 1970s, community leaders spearheaded an unsuccessful attempt to incorporate.

In 1992 the community was successful and Windsor officially became Sonoma County's ninth city on July 1, 1992. Since its incorporation, Windsor has invested city funds to improve roadways, utilities and public facilities.

The Senior Center and Community Center were dedicated in 1995. The Town's first library opened in 1996. A year later, the Town dedicated Pleasant Oak Park and began its first teen program. The Teen Center opened in 1999 and the Town Green was dedicated in 2001. The Town has drafted future plans for a new train station for commuter and excursion rail.

Since incorporation, the Town has been guided by dedicated public servants elected to the Town Council. Original council members were Julie Adamson, Maureen McDaniel, Allan Rawland, Joseph Rodota, and Barbara Siegler. The Council is currently served by Mayor Sam Salmon and members Steven Allen, Debora Fudge, Lynn Morehouse, and Steve Scott.

Mr. Speaker, it is appropriate that we acknowledge and honor the Town of Windsor today as this pioneering community celebrates its tenth anniversary.

HONORING THE TELLEZ FAMILY

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Ms. SOLIS. Mr. Speaker, I rise today to honor a very special family celebration that will take place on June 29, 2002, in the town of Clifton, Arizona. On Saturday, the Tellez family, many members of whom now reside in my district in California, will be honored for its dedication and service in valiantly defending our nation in the U.S. Armed Forces. The family will be recognized by the Hermanos de Vietnam, a division of the American Legion Post in Clifton, Arizona, for its combined 30 years of service in the U.S. military.

Remarkably, 11 out of the 15 family members have served in the military. The legacy began when Florencio Tellez, the family patriarch, served in the Army during World War I. His eight sons and two daughters followed in their father's footsteps.

Ruben and Florencio Tellez, Jr., both served in the U.S. Navy during World War II. Ruben Tellez served with the airborne division as a radio man, and Florencio, Jr., survived when his ship was struck by the Germans and sunk.

Raul, Joe and Gilbert Tellez all served in the Korean War. Raul and Joe were in the Navy and served on the same ship; Gilbert was a Marine who was wounded by enemy fire.

Richard Tellez, served in the Navy during the 1950s and continued as a reservist through Desert Storm.

His brothers Edward and Oscar "Duffy" Tellez served during the Cold War era. Edward was in the Air Force stationed in Iceland, and Oscar joined the Army and was stationed in Germany.

Florencio's two daughters also devoted themselves to the U.S. military. Stella Tellez was in the Marine Corps, and Katherine Tellez was in the Cadet Nurse Corps, a group that addressed the nursing shortage in civilian hospitals.

This remarkable family has given more to our nation than anyone would ever have thought possible. I urge my colleagues to join me in honoring the Tellez family for their valiant and courageous service to our country.

NEW LOWS FOR RELIGIOUS FREEDOM IN UZBEKISTAN

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. SMITH of New Jersey. Mr. Speaker, over the past several weeks, Uzbek authorities have increased the harassment and suppression of religious groups viewed as a threat to the government's control of society. Uzbek authorities have systematically sought to stifle all aspects of religious life, including Muslim and Christian. It is currently believed that nearly 7,000 individuals are jailed for alleged crimes related to their religious affiliation or beliefs. Human rights organizations estimate that during the past year Uzbek courts convicted roughly 30 people a week under trumped-up charges.

Unfortunately, the list keeps growing. At the end of May, police arrested Yuldash Rasulov, a well-known human rights defender and devout Muslim. Rasulov's work through the Human Rights Society of Uzbekistan focused on government actions against Muslims choosing to worship outside the government-approved religious system. According to Human Rights Watch, officials charged Rasulov with "religious extremism," claiming he recruited Islamic militants to work toward overthrowing the state. Notably, a search of his home reportedly found nothing of an incriminating nature. Since being arrested, Rasulov has been held in incommunicado detention.

Authorities also targeted Musharaf Usamnova, the widow of a prominent Muslim activist Farhod Usmanov. Her husband was reportedly murdered in an isolation cell while in government custody in 1999. Uzbek officials arrested Musharaf in April, bringing over 50 men to ensure her capture, and her situation is unknown at this time. Soon thereafter, the government arrested several other women who were protesting the long prison sentences given to relatives and Muslim activists. The court sentenced these women to jail terms, some up to four years.

Adding to the concern about the treatment of these individuals is the rampant torture throughout the Uzbek "justice" system. Once in custody, many are savagely tortured and beaten in hopes of securing self-incriminating statements or evidence against other suspects. To ensure convictions, police authorities plant evidence on innocent individuals, such as weapons, drugs or banned religious propaganda. Judges hand out harsh prison sentences, despite claims of pervasive torture. Furthermore, prison conditions are abominable, infested with disease and pestilence. Individuals imprisoned on religious offenses are reportedly treated extraordinarily harsh; persons wishing to pray are subjected to further beatings and harassment. Incommunicado detention and disappearances of individuals also occur.

Also of serious concern are the extrajudicial executions that transpired over the past year. Human rights organizations reported on the deaths of five individuals while in police custody. Despite some Uzbek Government reports listing the cause of death as "heart attack" or "brain tumor," the open wounds, broken bones and multiple bruises on the corpses

tell a very different story. Clearly, there is much cause to worry about the safety of all individuals in prison.

Besides physical arrests, the legal regime governing religious groups is designed to repress religious activity. Through these laws and regulations, the government places religious groups in an untenable situation. The government seems to allow approved mosques to operate and permits Christian communities to exist in relative peace (if they do not attempt to proselytize indigenous groups not traditionally Christian). Otherwise, for other religious groups, obtaining official recognition is nearly impossible, and the real threat of government repression looms large.

The 1998 Freedom of Conscience and Religious Organizations law instituted registration requirements designed to make achieving official recognition next to impossible. The 1999 amendments to the criminal code increased the importance of registration, as individuals attending an unregistered group are potentially subject to three to five years imprisonment for belonging to an "illegal" group. Individuals caught attending meetings of "banned" religious communities risk up to 20 years imprisonment. Uzbek courts frequently hand down lengthy prison sentences for alleged participation in illegal or banned groups. In addition, the religion law bans religious free speech and private religious instruction, and only permits government approved clerics to wear religious dress.

In recent weeks, Uzbek authorities appear more willing to use these provisions to repress unwanted groups and silence dissent.

Most recently, on May 25th, Uzbek officials raided the Mir Protestant Church in the Karakalpakstan region in western Uzbekistan. The raid, justified because the church is unregistered, interrupted a service and recorded the names of individuals representing local nationalities, such as Kazakhs and Uzbeks. Authorities ordered individuals of those ethnic groups to appear in court to explain their participation. While the court did not impose a fine, in a similar case in the same region, a court did fine four members of the New Life Church for violating the law on religious organizations.

Similarly, due to an inability to register, the small Christian community in Muinak has been denied permission to meet. According to Keston News Service, church members are now forced to meet in secret. Furthermore, the leaders of the Jehovah's Witnesses in the town of Bukhara could be sentenced to five years in jail for leading an "illegal" religious service, as their community is unregistered. In addition, in May a Tashkent court found a Jehovah's Witness guilty and fined him for illegal religious teaching when he was caught praying at a friend's funeral.

Even more alarming was the request by the Uzbek Committee for Religious Affairs that Protestant groups stop preaching the Uzbek language, the country's official language.

Mr. Speaker, the overall situation for religious freedom, and human rights generally, in Uzbekistan is bleak. Despite US involvement in the region, the recent increase of government efforts to suppress unrecognized religious groups is deeply troubling. Consequently, I urge the Uzbek Government to honor its commitments as a participating State in the Organization for Security and Cooperation in Europe.

WILLIAM F. GOODLING EVEN
START FAMILY LITERACY PRO-
GRAM

HON. SUSAN DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mrs. DAVIS of California. Mr. Speaker, I am pleased to offer a bill today that will support the learning opportunities of our most vulnerable children by supporting their literacy training from their very earliest days until they are in school.

These are children of families who qualify for Even Start because they are low socioeconomic families who may also be English learners.

Without the existing William F. Goodling Even Start Family Literacy Program, these children would arrive for their first day of school without the literacy skills to compete at that starting line. Even those who were able to get a scarce place in the Head Start program, would find that, hard as they worked through their school years, they were unlikely ever to catch up.

The population served by Even Start generally has low levels of education, with 86 percent of parents not having completed high school upon entering the program (compared to about 27 percent of Head Start parents). Eighty percent of participants have a family income below \$15,000 and over 40 percent have income below \$6,000. This is a high need population.

What the program offers is both literacy-training classes for the children and also family literacy programs for the parents. Children participating in Even Start are provided with age-appropriate educational services to ensure that they will achieve at a level similar to that of their peers. Liaison advisors work with each family to promote strong literacy support experiences, to help parents learn ways they can develop their own English literacy skills, and to provide support groups for parents to share the challenges and skills of parenting.

Adults in these family literacy programs tend to participate longer than those in regular adult education programs because of the benefits family literacy programs provide to their children. They see benefits such as improved literacy skills, reduced dependency on federal/state assistance programs, and enhanced employment opportunities. Most importantly, they are empowered to be their child's first and most important teacher.

Nationally, Even Start funds approximately 1,400 programs and serves approximately 50,000 families.

This bill will set aside funding to establish nationwide programs to assist in the training of program directors and facilitators in research-based literacy training skills. Because of new legislation, particularly the new qualifications for personnel, the performance objectives, and the new "scientifically-based reading research" requirement for instructional programs, local Even Start programs need this type of assistance.

Additionally, I have requested an evaluation to provide a longitudinal look at the achievement of children who have been assisted by the program.

When I have visited Even Start classes for children and for their parents, it is over-

whelming to hear their expressions of appreciation for the program and its leaders. Adults expressed amazement at the change in their children's feeling about reading and learning when they made reading together a regular part of their day. One mother told me how she thought she couldn't help her five year old with reading, but, thanks to the program, she realized that it was good for them to read together and help each other with the words each didn't know.

President Bush has declared that an additional step in his efforts to reform education will be to prod parents, day-care centers and preschools to teach more skills to children before they get to kindergarten. Even Start provides just such a program for parents to develop the literacy skills enabling them to perform this task.

All children deserve an even start. This bill will assure that they have well-trained facilitators to give their families the skills to compete fairly at the starting line.

IN HONOR OF DANIEL H. CASE III

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Ms. PELOSI. Mr. Speaker, I rise to pay tribute to Daniel H. Case III, who died peacefully at his home, surrounded by his loved ones, early on June 26th. Dan was a talented businessman, a lifelong scholar, and a devoted father and husband; I was proud to call him my friend. His passing leaves a great void in our lives.

Dan was only 44 years old. He was compassionate, but cancer is not. It strikes tragically, without warning or reason. His future was staggeringly full of possibility, and I am so saddened to think of how much more Dan had to experience and give.

Dan was a brilliant man. He was a top graduate of Princeton University and a Rhodes Scholar at Oxford. We marveled at his intelligence, his insight, and his ability to see problems in new ways. His mind was always the mind of a scholar, deeply fascinated by the complexity of finance and economics. He possessed a sharp and subtle intellect that was uniquely suited to business but never confined by it.

Dan was a star in the business world, rising to become one of the most important business leaders in the nation. As Chairman and CEO of Hambrecht & Quist during the height of the new technology boom, Dan helped to finance hundreds of companies, including Genentech, Netscape, Adobe, and other leaders in the high technology field. Under his leadership, Hambrecht & Quist grew to become a powerful financial player, providing resources and guidance for emerging companies in a wide range of technology areas. In 1999, Dan presided over Hambrecht & Quist when it was acquired by JPMorgan Chase. After the merger, Dan continued to advise and fund emerging companies.

Dan's intelligence was only surpassed by his character. His friends and family respected him for his foresight and genius but loved him for his kindness and modesty. He was a caring husband, father, son, and brother. He gave back to the community in countless

ways, donating generously to a number of community organizations, including the San Francisco Exploratorium, the San Francisco Ballet, and the United Way. Always committed to education and learning, Dan worked with other technology industry leaders to improve public education and played an important role in passing Proposition 39, the California school bonds initiative. After he was diagnosed with cancer, he founded ABC2, which funds research aimed at finding a cure for brain cancer.

To his wife Stacey, to his four children, Alexander, Winston, John Daniel, and Charlotte, to his parents, Dan and Carol, to his brothers Steve and Jeff, and his sister Carin, I extend my deepest sympathies. I hope that it is a comfort to Dan's family that so many people share their loss and are praying for them at this sad time.

TRIBUTE TO NORMAN W. JETER
OF HAYS, KANSAS

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. MORAN of Kansas. Mr. Speaker, I rise this evening to pay tribute to Mr. Norman Jeter on his 90th birthday.

There are few in my hometown that do not know Mr. Jeter. He came to Hays, Kansas 65 years ago, in the midst of the Great Depression, after graduating from the University of Kansas School of Law. Despite the difficulty of the times, he boarded the train for Hays with the hope that the western Kansas community would someday be a great town. Indeed, Hays grew into a thriving community, the home of an excellent university, and the commercial center of northwest Kansas. Along the way, Hays residents benefitted from the personal and professional advice of Norman Jeter.

Over the years, Mr. Jeter became a leading member of the Kansas legal community, representing small businesses, independent oil and gas producers, and farmers and ranchers. He was also elected Ellis County attorney in 1938 and held the position for many years. His dedication to his profession and his knowledge of the law are respected throughout the State. He is the kind of elder statesman that every profession needs.

I am fortunate to have had the pleasure of practicing law with Mr. Jeter. As a young attorney, I quickly came to admire his keen mind, integrity and dignity. Working with Mr. Jeter taught me a great deal about the practice of law, but even more about being a good person. I know that I am a better for having known and worked with him.

Throughout his lifetime, Norman Jeter has worked to improve the quality of life in his hometown and state. The residents of Hays, Kansas have access to first-rate medical treatment and facilities due in no small part to the leadership of Norman Jeter. For nearly 60 years, he has served on the board of directors of Hays hospitals, much of that time as chairman. During his tenure he saw the combination of two local hospitals to create a regional medical center with greatly expanded services and quality of care. He continues to serve on the Board of the Hays Regional Medical Center, working to provide the residents of North-

west Kansas with progressively better healthcare.

Mr. Jeter's contributions to Kansas education are no less notable. He worked hard to improve Hays schools as a member of the school board, and later worked just as hard to improve the higher education system in Kansas as a member and chairman of the Kansas Board of Regents.

He has been recognized repeatedly for a lifetime of distinguished public service. He is a recipient of the Fort Hays State University Distinguished Service Award, as well as the Kansas School of Law Distinguished Alumnus Award. Mr. Jeter is a member of the Hays Chamber of Commerce Hall of Fame, a recipient of the Governor's Art Award, and has been presented with the Albert Einstein Medal of Peace. In addition, the Hays Medical Center bestows an honor that bears his name, the Norman W. Jeter Humanitarian Award.

Most important to Norman Jeter is his family. He and his wife Ann have instilled in their children Margaret, John, Joe, and Bill the same values with which they have lived their lives. Their children have all gone on to lead successful careers in their given field. John is the chief executive officer of Hays Medical Center. Margaret is an attorney in Kansas City, Missouri, while Joe and Bill practice law with their father.

Norman Jeter has led a truly remarkable life, serving his community as he has lived—with distinction, intelligence, and honor. Norman Jeter is proof that the practice of the law can still be an honorable profession and that service to one's community can still make a difference. I would ask that my colleagues join me today in paying tribute to Norman Jeter on the occasion of his 90th birthday.

DRUG POLICY

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. PAUL. Mr. Speaker, I highly recommend the attached article "Unintended Consequences" by Thomas G. Donlan, from *Barron's* magazine, to my colleagues. This article provides an excellent explanation of the way current federal drug policy actually encourages international terrorist organizations, such as Al Qaeda, to use the drug trade to finance their activities. Far from being an argument to enhance the war on drugs, the reliance of terrorist organizations upon the drug trade is actually one more reason to reconsider current drug policy. Terrorist organizations are drawn to the drug trade because federal policy still enables drug dealers to reap huge profits from dealing illicit substances. As Mr. Donlan points out, pursuing a more rational drug policy would remove the exorbitant profits from the drug trade and thus remove the incentive for terrorists to produce and sell drugs.

In conclusion, I once again recommend Mr. Donlan's article to my colleagues. I hope the author's explanation of how the war on drugs is inadvertently strengthening terrorist organizations will lead them to embrace a more humane, constitutional and rational approach to dealing with the legitimate problems associated with drug abuse.

[From *Barron's*, June 24, 2002]

UNINTENDED CONSEQUENCES

(By Thomas G. Donlan)

It's harvest time in Afghanistan. While the delegates to its grand council, the *loya jurga*, met under the great tent in Kabul and grudgingly acknowledged Hamid Karza as the president of a "transitional government," the impoverished farmers of Afghanistan reaped the rewards of their best cash crop, the despised opium poppy.

A few months ago, newspaper correspondents reported that the American proconsuls in Afghanistan had abandoned their hopes of reducing the opium harvest. They had considered buying the crop or paying farmers to destroy their poppies, but concluded that in the lawless Afghan hinterland they would simply be paying a bonus for non-delivery.

Karzai's previous "interim administration" had banned opium production, but its writ did not run many miles beyond the city of Kabul. Warlords and provincial governors did as they pleased, and they were pleased to tax the opium trade and indeed participate in it as traders and transporters and protectors.

That's what the Taliban did for most of the years that the mullahs ruled and protected the al Qaeda terrorist network. In 2000, Afghanistan accounted for 71% of the world's opium supply. (Opium in turn is the building block for heroin, which most drug-fighters believe takes the greatest human toll and provides the greatest profit in the whole illicit industry.)

In 2001, the Taliban decreed an end to opium cultivation, not so much to carry favor with the West but to maintain the price: A bumper crop provided enough for two years of commerce. Indeed, the Taliban and al Qaeda may have earned more from their stockpiles in 2001 than they did from high production in 2000.

"As ye sow, so shall ye reap." The Biblical passage is an apt reminder that America's undercover agents nurtured Islamic fundamentalism to strengthen Afghan resistance to the Soviet Union. We reaped chaos in Afghanistan and a corps of well-trained fanatics bent on our destruction. America has also sown a war on drugs, and those same fanatics have harvested the profits.

This was not what we intended. Nor did we intend to let huge profits earned by terrorists and common criminals be used to corrupt police in every country where the trade reaches, including our own. Nor did we intend to put hundreds of thousands of Americans in prison for their participation in the drug trade. Nor did we intend to create periodic drug scarcities that turn addicts to crime to pay for their habits.

But all those things are unintended consequences of the war on drugs. Drug use is eventually a self-punishing mistake; the drug war turns out to be the same.

Now the war on drugs and the war on terrorism are beginning to look like two currents in a single river. Nearly half of the international terrorist groups on the State Department's list are involved in drug trafficking, either to raise money for their political aims or because successful drug commerce requires a ruthlessness indistinguishable from terrorism.

The currents don't always run together: The FBI and other federal law enforcement agencies acknowledge that the extra resources they are devoting to the detection and apprehension of terrorists are not new resources; the money agents and equipment come to the war on terror at the expense of the war on drugs.

In the domestic war on drugs, officials are trying to make the two currents serve their purposes. The government runs TV ads portraying young Americans confessing, "I

killed grandmas. I killed daughters. I killed firemen. I killed policemen," and then warning the viewers, "Where do terrorists get their money? If you buy drugs, some of it may come from you."

Bummer.

Like they wanted to do that? The buyers of drugs would be perfectly happy to buy them in a clean, well-lit store at reasonable prices, with the profits heavily taxed to support schools, medical benefits, or any other legitimate function of government—even police. That's how they buy cigarettes and liquor, neither of which finances international terrorists. (In a current prosecution, smuggling cigarettes from low-tax North Carolina to high-tax Michigan allegedly raised \$1,500 for an alleged affiliate of Hamas. But big violence needs bigger sums from more lucrative sources.)

It was bad when drug laws gave the Mafia an opportunity to do big business. It was worse when the laws encouraged Colombian and Mexican drug cartels to obtain aircraft and heavy weapons. Now that the drug laws provide profits to people who want to kill Americans wholesale instead of retail, it's time to change the laws.

Using drugs is stupid enough; making the users finance international terrorists is even more foolish.

TRIBUTE TO CARROLL "BUD"
FAIRCLO

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. WALDEN of Oregon. Mr. Speaker, I rise today to pay tribute to an outstanding Oregonian and authentic American hero, Carroll "Bud" Fairclo. A native of Dairy, Oregon in the 2nd Congressional District, Bud was a devoted family man, a well-loved member of his community, a fierce warrior, and most of all, an unwavering patriot.

Mr. Speaker, Bud Fairclo served during World War II as a member of Company L of the 15th Infantry Regiment, 3rd Infantry Division of the Fifth and Seventh Armies. As an infantryman with the 3rd Division, which fought in campaigns across North Africa, Sicily, and Italy under Generals George S. Patton and Mark W. Clark, Bud saw some of the heaviest fighting of the war during a period when Germany's defeat was by no means certain. Bud participated in countless engagements, and though he performed with distinction in combat many times, his heroism on one occasion was particularly conspicuous.

On November 9th, 1943, near Mignano, Italy, Bud silenced three German pillboxes with a volley of grenades and rifle fire, saving many of his countrymen from the murderous fire of the enemy. He then single-handedly halted a German counterattack and was under constant enemy fire for nearly 18 hours until relief arrived. While he was severely wounded during this action, Bud refused evacuation to treat his injuries. Later he volunteered for observation post duty to direct mortar fire that silenced two remaining pillboxes that had fired on his unit throughout the night.

On April 11th, 1944 General Mark W. Clark presented Bud Fairclo with the Distinguished Service Cross for his extraordinary heroism in action, a decoration second only to the Medal of Honor. Bud's uncommon valor earned him

not only the distinction of being one of Oregon's most highly decorated veterans, but the enduring gratitude of the nation he fought so heroically to defend.

Like so many unassuming heroes of his generation, Bud Fairclo loved his country deeply, served it courageously in our Nation's darkest hour, and then quietly returned to civilian life, expecting neither recognition nor reward for his valiant service. Bud went on to father five children and run a horse-ranch in the Klamath Basin for more than half a century. While I never had the opportunity to meet Bud before his passing in 1997, like every child of the post-war world I have lived and breathed the freedom that he and his comrades bequeathed to us.

Mr. Speaker, on July 4th, I will have the distinct honor of presenting a framed set of Bud's military decorations to the Fairclo family as part of a ceremony dedicating the Mid-Columbia Veterans Memorial in The Dalles, Oregon. I will make this presentation with a profound and lasting reverence for the sacrifices he and his fellow veterans made on behalf of the generations that would follow them.

Today as our Nation faces a new war and young men and women across this great land answer their country's call to service, it is the heroism and selflessness of men like Bud Fairclo that will inspire them to great and noble feats. As we observe the birth of our Nation and commemorate the contributions Bud and others have made in defending it, we do so in humble recognition of the debt we owe to them—a debt that no riches or tributes could ever hope to repay.

BAY CITY POLICE CAPTAIN DAVE
BRUBAKER: A LAWMAN'S LIFE

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. BARCIA. Mr. Speaker, I rise today to ask my colleagues to join me in honoring the life and mourning the death of retired Bay City Police Captain Dave Brubaker. When Dave passed away, his three children lost a wonderful father, his wife, Diane, lost a loving soul mate, the citizens of Bay City lost a committed public servant and I lost a friend.

Dave befriended all who crossed his path, including me. In fact, I often crossed his path as he was patrolling the streets of Bay City. His greeting was always the same. He immediately activated the flashing lights of his squad car. Whenever Dave saw me ever so slightly exceeding the posted speed limit, he'd pull me over. We'd share our latest deer hunting stories, then he'd let me go with a stern warning to slow down, a warning I naturally ignored until the next time Dave pulled me over.

Anyone who knew Dave quickly developed an appreciation for his good-natured sense of humor. Wherever he went, his natural charisma and outgoing nature drew people to him. He was always the center of attention and the life of the party. In fact, no one would have appreciated more than Dave the notion to pay tribute to him with a Fourth of July celebration and fireworks display.

Dave was also a serious and dedicated public servant who never swayed from his duty to protect and defend our community. He

was a devoted husband, father and grandfather. Above all, Dave cared deeply about people and never missed an opportunity to show it. The sense of loss for his wife, Diane, his three daughters and their husbands, his grandchildren and extended family certainly will never go away. Perhaps Dave's family can take solace in knowing that his fellow officers, his friends and the entire community are better off for having made Dave's acquaintance. We all miss him.

Mr. Speaker, in the aftermath of the tragedies of Sept. 11, every community has a better understanding of the debt owed to law enforcement officers like Captain Dave Brubaker. Dave did his duty with a firm hand and understanding heart. His life's work is his badge of honor and his legacy will continue to inspire all public servants. Please join me in remembering and honoring Captain Dave Brubaker.

CELEBRATING THE REHABILITATION AND PRESERVATION OF AFFORDABLE HOUSING AT EL RANCHO VERDE APARTMENTS

HON. ZOE LOFGREN

OF CALIFORNIA

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Ms. LOFGREN. Mr. Speaker, today we rise to celebrate the El Rancho Verde Apartments, the largest preservation of affordable housing in the Western United States. This outstanding, \$117 million effort has truly been a community effort to preserve affordable housing for families who could not otherwise afford the high cost of living in Silicon Valley. We commend the efforts on the part of several groups: The Related Companies of California; Community Housing Developers, Inc.; City of San Jose Housing Department; State of California Housing Finance Agency; State of California Treasurer's Office and the U.S. Department of Housing and Urban Development (HUD).

Built in 1970, El Rancho Verde was at risk of being converted to market-rate property at the expiration of existing HUD Use Agreements. Now, this affordable housing will be preserved for a minimum of 55 years.

This rehabilitation project—considered by city, state and federal housing officials to be a model for the nation—preserves 700 low income two and three-bedroom apartments on 36 acres, enabling families to live in San Jose who otherwise might not be able to afford it.

We would especially like to applaud state officials, who gave this development the second largest ever allocation of tax-exempt bonds for multifamily housing to date.

Recognizing that childcare is another critical issue for low-income families, we commend the commitment to the East Side community in form of structural improvements to the adjacent child development center, El Rancho Verde Child Development Center. The Center serves 75 children, ages 3 to 10, most of whom live at the El Rancho apartments.

Thanks to the efforts of The Related Companies of California and Community Housing Developers, Inc., approximately 3,000 people—1,500 hundred of them children—will have a home in San Jose.

We wish to thank The Related Companies of California and Community Housing Developers, Inc., for their commitment to making San Jose affordable for all families.

TRIBUTE TO THE 16TH ANNUAL
MAR ADDAI CHALDEAN CHURCH
FESTIVAL

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. BONIOR. Mr. Speaker, today I rise to recognize the Chaldean American community of Michigan, who celebrated the 16th Annual Mar Addai Chaldean Church Festival on Sunday, June 23, 2002.

As Michigan is home to a thriving Chaldean American community, we have the opportunity to recognize the accomplishments and contributions of a fabulous people. They possess a focused vision of their future and will do all they feel is necessary to ensure prosperity.

Today, the United States is enriched by the many Chaldean Americans who have made this country their home. As one of the largest communities in Michigan, Chaldean Americans are making their mark, serving as hard working members of the civic, business, and professional communities. They have made major contributions to nearly every facet of American society. The Chaldean American community of Michigan truly adds to the wonderfully diverse American culture by sharing with us their customs, traditions and beliefs.

The 16th Annual Mar Addai Chaldean Church Festival attests to the wealth of the culture we have developed here in Michigan. An all day festival of food, music, dancing, and fun, the Mar Addai Festival is attended by thousands of Chaldean and non-Chaldean people and is one of the largest and most successful family festivals in Oakland County. The spirit and enthusiasm of the Chaldean American community of Southeastern Michigan has been such an invaluable asset to our great state, and will surely continue to bring families and communities together for many years to come.

I urge my colleagues to join me in congratulating the Chaldean American community of Michigan on this landmark day, and I salute them all for their tremendous contributions and support.

HONORING MARY "BILLY"
BOATWRIGHT

HON. ROB SIMMONS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. SIMMONS. Mr. Speaker, Mary "Billy" Boatwright, a wife, a mother, an athlete, a newspaper reporter, a tireless advocate of better education, and a member of the National Republican Committee for nearly two decades, passed away on May 31 at the age of 82, a victim of cancer. She was a model Republican, a woman of principle, and an integral part of my hometown, Stonington, Connecticut. Her family and friends mourn her and remember the way in which she gave her life to her community.

Billy Boatwright was a role model for me and for the many people whose lives she touched. Friends who confided in her did so in faith. Candidates who sought her advice found a ready ear and a bright mind. Many of us can look back on our lives and find a person upon whose advice and counsel we built our careers and forged our ideals. For the people of Stonington Billy was that person.

Billy believed in loyalty and was willing to elevate principle above party lines. Her decision to oppose a party nominee for Governor and support instead a lifelong friend forced her to give up her seat on the Republican National Committee. She also vacated her seat on the Stonington Republican Town Committee. In her absence the Committee made the decision not to fill her seat. After the election, Republican leaders invited her to return. This is one of many examples of the respect in which she was held by her peers.

Mr. Speaker, politics does not build character. It reveals it. Those of us who knew Billy Boatwright had the honor of knowing a woman of the highest character, the image of honesty and learning, a woman who understood the importance of serving the interests of the public. She will be greatly missed. We are fortunate to have been a part of her life and even more fortunate that she was a part of ours. I would like to submit Westerly Sun columnist Jeff Mill's story on her legacy for the CONGRESSIONAL RECORD.

[From the Westerly Sun]

STONINGTON LOSES "BILLY" BOATWRIGHT,
POLITICAL LEGEND

(By Jeff Mill)

Mary H. "Billy" Boatwright, a power in Republican politics on the national, state and local levels and an integral part of Stonington life for over 40 years, has died.

Boatwright, who had been ill in recent months, succumbed to cancer Friday. She was 82.

A wife, mother, sportswoman, newspaper reporter, staunch advocate of reading and learning, and member of the Republican National Committee for 17 years, she was described as "a life force" in Stonington since moving here with her husband, Victor, in 1957.

Expressions of sympathy and admiration flowed in Saturday, as word spread of her death. (An obituary appears in the obituary section of the online Sun.)

"She was really a remarkable woman," declared Andrew W. Maynard, the warden—a post akin to mayor—of Stonington Borough. "Her death is certainly an enormous loss to the Borough and really to the entire area of southeastern Connecticut."

Spare and direct, Boatwright was the grand doyen of Republican politics in town and throughout the region. Candidates on the local and state levels regularly sought her out for advice and counsel. Those who didn't rarely succeeded.

Yet, she was equally at home every August behind tables sagging with books in the Borough's Wadawanuck Square as part of the Stonington Community Center's annual Village Fair. She ran the book tables for years, and they became known as "Billy's Books."

Second District U.S. Rep. Robert R. Simmons, R-Stonington, was one of those who went to Boatwright for advice.

"As a Republican, she was a great leader," he said. "I think she was the first woman to represent Stonington in the General Assembly, back when that was not an easy thing to do."

"She was a staunch member of the Republican Town Committee and a great mentor to

people like me and Michael Blair (a former Borough warden) who wanted to get involved in politics but didn't know how. She really was an extraordinary woman."

"She loved to travel, and she had so many friends, and she was quite independent," said her daughter Mary T. "Tolly" Boatwright. "She was so devoted to so many things—to her country and the democratic process and to the Republican Party. And yet, she never followed anything blindly."

Boatwright was, for instance, a strong and loyal supporter of Gov. Lowell P. Weicker Jr., even when that became unfashionable in some circles. It was a measure of her loyalty that she bolted the Republican Party to join Weicker's A Connecticut Party—and in doing so gave up her seat on the Republican National Committee.

"I would put her, literally, in a handful—and I mean five people—who were the greatest influences in my career," the former governor said Saturday evening from his Virginia home.

"She had enormous integrity and a great sense of humor, and she was one of the most loyal people I know," Weicker said, noting that Boatwright gave up her seat on the RNC "when just about any Republican woman in the state would have died for that seat. But that was Mary."

"Every leader should be surrounded by people with that integrity (who are willing to relay bad news even) when you don't want to hear it."

Simmons recalled that when she resigned from the party to back Weicker's independent run for governor, "I was chairman, and the town committee decided not to fill her seat. After the election, she was invited to come back and occupy the seat. That's just one sign of the respect in which she was held by her fellow Republicans."

Her son, Bill Boatwright, mentioned another instance in which his mother remained loyal—to Richard Nixon, whom she first met during her postwar career as a newspaperwoman at the San Francisco Chronicle. He said "she supported him and remained very hopeful that his policies" would achieve the recognition she felt they deserved.

"As an individual, she would follow the strength of her convictions," he said.

William S. Brown, a selectman and chairman of the Republican Town Committee, recalled Boatwright as "a lovely lady. She was very bright and intelligent and a stalwart Republican."

Respect and affection for Mrs. Boatwright crossed party lines.

James M. Spellman, a Pawcatuck Democrat, was often in Mrs. Boatwright's sights during the 24 years that he served as Stonington's first selectman. And yet, he praised her Saturday, saying, "Mary was an outstanding citizen of Stonington. She was very knowledgeable, and she always quietly offered her time for many different programs. It could be the (Stonington) Community Center, the town of Stonington, or Westerly Hospital. But I believe her first love, no doubt, was politics, in which she played a major role on the local, state and national level."

"I always admired her," Spellman continued, "because she knew the issues and she worked in the best interests of our area, and I respected her as a friend and a political opponent."

Boatwright was by equal parts direct and humorous. She did not suffer fools gladly, but she could be supportive and funny—often devastatingly so.

Her youngest daughter, Tolly Boatwright, recalled just such an incident during World War II, when her mother drove a tractor at the North Island, Calif., Naval Station.

"She met Eleanor Roosevelt once and Mrs. Roosevelt said how interesting her job must

be," Tolly said. "And mother said she had only learned two things—how to swear and how to spit, although I think she already knew how to swear."

Tolly reflected that it "had to be a trial" for such a dedicated Republican to meet the staunchly Democratic first lady.

Maynard spoke of "her enormous influence and commitment to the Borough and around the state."

"She had such dedication to her community and to her church," Maynard said. "She was so dedicated to the (Stonington Free) Library, to the cause of learning and to volunteer work, and she did all that with great enthusiasm."

"I think of her just now standing in front of the (Borough) post office, speaking with someone and with her head thrown back in a laugh. It's really sad to think of her no longer being with us."

"She had a lot of energy, and she generated enthusiasm," First Selectman Peter N. Dibble said. "She cared deeply for the people she befriended, and there certainly were many people in this community who benefited from her friendship."

"For those of us involved in politics, she was a party stalwart who touched the lives of many of us, but she did not limit herself to partisan politics. She helped numerous people in public life regardless of party lines."

Maynard, Simmons, and Tolly Boatwright all mentioned a love of knowledge that pervaded Boatwright's life.

"Mother really cared about people no matter their age," Tolly Boatwright said. "And if a child made the honor roll, she would cut out the (newspaper article about it) and send it to the parents. She championed children and academic achievement, and doing the best they can."

Simmons said his daughter was one of those who received a clipping and a note of encouragement.

Boatwright's love of learning extended throughout her entire life.

"She had an amazing intellectual curiosity that she carried even into her later years," Maynard said. "In her 70s, I would see her still expanding her mind" as they took courses at Connecticut College.

Maynard is a Democrat, but he said "even though she was a vigorous partisan, I had such a regard for her willingness to stay involved. I just had the greatest regard for her."

THE NEED TO SUPPORT PASSENGER RAIL

HON. MICHAEL R. McNULTY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. McNULTY. Mr. Speaker, while the other countries of the industrialized world continue to support passenger rail services with 'High Speed' and 'Bullet' trains, the current Administration continues to nickel and dime Amtrak.

Last fall, this Administration and this Congress came to the rescue of our airline industry to the tune of \$15 billion. But when Amtrak asks for little more than 1 percent of that to cover its short term operating costs, the President hesitates.

This Administration is proposing retroactive repeal of the Alternative Minimum Tax (AMT), sending \$25 billion in rebate checks to the richest corporations in the world. The rebate check to IBM alone would be \$1.4 billion. That

one check would keep the trains moving in America for all of next year.

Mr. Speaker, this is a disgrace!

The Administration should immediately release the funds necessary to keep Amtrak in service.

RECOGNIZING THE CONTRIBUTIONS OF DR. MURRAY ROSS TO THE U.S. CONGRESS ON HEALTH POLICY

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. STARK. Mr. Speaker, I rise today to recognize Dr. Murray Ross for his 14 years of service to the U.S. Congress at both the Medicare Payment Advisory Commission and the Congressional Budget Office.

MedPAC is the advisory panel to Congress that provides guidance on Medicare payment policies. Dr. Ross has served with distinction as MedPAC's founding executive director, providing outstanding policy analysis and exceptional service to Members of Congress and their staff.

Before MedPAC, he served as unit chief for the Health Cost Estimates Unit of the Congressional Budget Office, directing his staff in developing key spending and cost estimates for the Congress.

Prior to becoming the director of the health unit, Dr. Ross served as a principal analyst in CBO's Health and Human Resources Division, providing important analyses of health reform and income security policies.

While I may not have always agreed with the advice and analysis received from MedPAC or CBO during his tenure, I speak for many when I say that we always knew Murray was shooting straight with us and doing his best to see that we were provided accurate information in a timely manner.

It is with pleasure that I join the congressional and health policy communities in commending Murray Ross for his service to the Congress and America, in thanking him for his professionalism, and in wishing him well in his new endeavors.

I also welcome Murray to the San Francisco Bay area and look forward to working with him to improve health care in my home community.

PERSONAL EXPLANATION

HON. RUBEN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. HINOJOSA. Mr. Speaker, I regret that I was unavoidably detained in my Congressional District. Had I been present, I would have voted yes on rollcalls 249, 250, 251, 252, 253, 254, 255, 256 and 257.

ALLEN J. KAYNER: SETTING THE PACE FOR BAY COUNTY

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. BARCIA. Mr. Speaker, I rise today to ask my colleagues to join me in honoring the life and mourning the death of Allen J. Kayner, a teacher and coach for untold high school athletes and students in the Bay City Public Schools in my hometown of Bay City, Michigan. Coach Kayner was a legend in the local running community, having founded both the Bay Area Runners Club and the St. Patrick's Day Road Race. He also taught history and geography at my alma mater, Bay City Central High School, and I considered him a friend and mentor.

Throughout his 30-year tenure with the Bay City Public Schools, Al Kayner was a devoted and intelligent teacher who gave the full measure of his talents to help students in and out of the classroom. His enthusiasm, patience and attention to detail were tremendous assets in teaching geography and history and they were also his greatest gifts as a coach.

In the early 1970s, Al founded the Bay Area Runners Club, serving as the club's first president and then again he offered his services as its president in the early 1990s. Before that, Al coached track and cross country at both Bay City Western and Bay City Central high schools. He also coached long-distance running at Essexville Garber High School for a short time.

Al will perhaps be best remembered as the man behind the St. Patrick's Day Road Race, which he organized and led from the start. On March 17, 1974, Al ran the first race with 65 other runners who began at Veterans Memorial Park and finished at Wenonah Park. The race now begins in Essexville and finishes in downtown Bay City, but otherwise it's the same footrace that Al envisioned 28 years ago and it is still going strong.

When Al died last year of cancer, the loss was certainly felt most by his wife, Judy, their three children, Karen, Kristine and Steven, and the rest of his loving family. However, his passing was most assuredly also felt by the entire community. Al left his mark on all those he met. It is especially fitting to honor him with fireworks on the Fourth of July because Al's life on this earth was certainly a star-spangled event never to be forgotten.

Finally, Mr. Speaker, I ask my colleagues to join me in paying tribute to Al Kayner, a coach, teacher and friend to all. I am confident that Al is somewhere right now lacing up his running shoes and preparing for a heavenly marathon with the other angels. Godspeed, Al.

TRIBUTE TO THE LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. BONIOR. Mr. Speaker, today I rise to recognize the Labor Council for Latin American Advancement, which will be celebrating

its 11th Annual Scholarship Awards Dinner on June 15, 2002 in Orion, Michigan.

As southeastern Michigan is home to a thriving Hispanic community, we have the opportunity to recognize the accomplishments and contributions of a fabulous organization dedicated toward ensuring the prosperity of Hispanic communities throughout the nation. Since its founding in 1973, The Labor Council for Latin American Advancement, or LCLAA, has served as a loyal voice for over 1.5 million Hispanic trade union members in the United States and Puerto Rico currently representing 43 international unions in 45 national chapters. The LCLAA's mission is to achieve social dignity, economic justice and higher living standards for every Hispanic worker. The LCLAA fulfills this mission by assisting young Hispanics in school by establishing educational support services, organizing recreational activities and mentoring students. Every year the LCLAA offers disadvantaged Hispanic students the opportunity for educational advancement by awarding college scholarships. This year the LCLAA's Oakland County, Michigan Chapter will give 17 students the opportunity to receive a college degree by awarding tuition scholarships. As a result of generous donations and the undying commitment of the LCLAA, these students will achieve a college education and enter fields like medicine, law, education, business, and many others.

Our great state of Michigan is home to thousands of Hispanic Americans, patriotic citizens who give so much to our country every day. With help from the LCLAA, Hispanic communities throughout the country continue to prosper and celebrate their great achievements. The spirit and enthusiasm of the LCLAA and the Hispanic community it represents is an invaluable asset to our great state and our great nation.

I urge my colleagues to join me in congratulating the Labor Council for Latin American Advancement's Oakland County, Michigan Chapter, the student scholarship recipients and the entire Hispanic American community of Michigan on this wonderful day, and I salute them all for their years of tremendous contributions and support.

HONORING THE LIFE OF JOHN
FRANCIS "JACK" BUCK

SPEECH OF

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2002

Mr. COSTELLO. Mr. Speaker, I rise today to pay tribute to a man who made a significant difference to many in the St. Louis region, Mr. John Francis "Jack" Buck.

Jack Buck was the voice of the Cardinals. He started calling games in 1954, and was the voice that I, along with millions of others throughout the Midwest, identify as St. Louis Baseball. We grew up listening to him and are deeply saddened by his death.

In addition to calling Cardinals games for almost 50 years, he also gained fame for his work on the CBS, NBC and ABC television networks and as the voice of the NFL on the CBS radio network. He called everything from pro bowling to Super Bowls and the World Series.

Buck was inducted into the Baseball Hall of Fame's broadcaster's wing in 1987, received the Pete Rozelle Award by the Pro Football Hall of Fame in 1996, and received a lifetime achievement Emmy in 2000. He was a member of both the Broadcasters and the Radio Hall of Fame.

His sports-casting abilities were surpassed only by his community involvement. He happily gave his time to a variety of non-profit causes through the St. Louis area and was campaign chairman of the Cystic Fibrosis Foundation. He was commended by the city of St. Louis for his service, and received the distinguished University of Missouri's Journalism Award for his outstanding achievements in broadcasting and citizenship.

Mr. Speaker, Jack Buck truly was an icon to the people of St. Louis. It is fitting that we pass this resolution honoring this great man. I urge my colleagues to join me in support of this legislation.

MASS RAPES OF WOMEN AND
GIRLS IN BURMA

HON. CYNTHIA A. MCKINNEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Ms. MCKINNEY. Mr. Speaker, I stand today to call attention to the appalling campaign of terror-through-rape recently uncovered in Burma. A report by the Shan Women's Action Network and Shan Human Rights Foundation reveals a truly horrific campaign of systematic rape carried out by the military against women and girls—some as young as five years old—in Burma's Shan State.

While Burma's record of repression is well known, this new report shines a light on atrocities previously hidden by the dark clouds of dictatorship. The report, based on interviews with girls and women refugees along the Thailand-Burma border, documents the rapes of 625 women and girls by Burmese military forces against villagers in Burma's Shan State. Given the alarming numbers in this limited refugee population, it is likely that this is but the tip of the iceberg. While the exact scale of this atrocity is unknown, there can be no doubt that Burma's military leaders are using rape on a wide scale as a weapon of war against its own civilian population.

According to the report, an astounding 83% of the documented rapes were committed by military officers from 52 different battalions, usually in front of their own troops. 61% of the cases were gang rapes, and many women were raped inside military bases. Many were held captive and raped repeatedly for months on end. Many women recounted the terror of being severely beaten, tortured, or mutilated. In 25% of the documented cases the women were murdered after being raped. The report also notes how those murdered by the Burmese military were left in public areas in order to intimidate and terrorize villagers and family members.

In this report, hundreds of courageous Burmese women and girls recount the terror of their experiences. One young Burmese woman told of how she found her five year old sister "tied up and crying, with her sexual organs bloody . . ." Another recounted how she and other women of her village "were forced

to serve as sex slaves." Ironically, these new revelations of mass rapes come on the heels of the release of 1991 Nobel Peace Prize recipient Aung San Suu Kyi. But we harbor no illusions about the nature of this brutal military regime.

Mr. Speaker, whether they take place in Burma, Bosnia, or Eastern Congo, rape as a weapon of war is a grave violation of the Geneva Conventions and a crime against humanity. I call on the State Department, United Nations, and my colleagues in the Congress to speak out strongly against the military regime that continues to sanction and condone these rapes and other atrocities.

PLEDGE OF ALLEGIANCE

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. TIAHRT. Mr. Speaker, this morning I recited our Pledge of Allegiance with extra vigor, for our nation is under attack—not from terrorists but extremists in our own country. Yesterday the 9th Federal Appeals court in San Francisco ruled that the Pledge is an unconstitutional endorsement of religion and cannot be recited in schools—CANNOT BE RECITED IN SCHOOLS. I am sure you share my outrage. There is a reason that our Marines in Iwo Jima risked their lives to display the stars and stripes. Our flag stands for all that makes this nation great. From kindergarten on, our children are taught respect for our flag—a flag that represents this wonderful and, yes, Godly nation. Our children are taught that the United States represents liberty and justice for all. Our Declaration of Independence, Constitution and even our currency state our country's relationship to God. On September 11th, as soon as it was safe enough the first thing Members of Congress did was to gather on the steps of this magnificent building and sing "God Bless America." The judges in California are clearly out of touch, not only with the principles upon which the Pledge is based but also with the sentiment of the American people. For the past 9 months Americans have proudly displayed their love for their nation, as well as their faith in God. We realize now more than ever that our nation has a special charge and thus revere the Pledge more than ever. I am proud of our flag, I am proud of our nation and I will proudly recite "one nation, under God" for the rest of my life.

CHANGING THE CORPORATE
CULTURE

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. BEREUTER. Mr. Speaker, this Member commends to his colleagues the following editorial from the June 25, 2002, edition of the Lincoln Journal-Star entitled "Culture Change Is Needed in Corporate Crisis." The editorial suggests that changing America's business culture is the best long-term solution to the current crisis of business scandal after business scandal. These scandals have caused a

distrust of corporate America and decimated investor confidence. Ethical CEO's are needed to change the dishonest precedent set by some business leaders. Corporate culture needs to revert back to decisions based on American values, rather than greed.

CULTURE CHANGE IS NEEDED IN CORPORATE CRISIS

The business pages of U.S. newspapers continue to read more like police blotters than the usual financial news. In fact, the average American may have simply given up trying to keep track of who has committed what wrongdoing.

The list of those indicted, arrested or resigning in disgrace is indeed far too long, suggesting that the post-Enron business world is in worse shape than feared. The result: a stock market in the tank, distrust of corporate America at an all-time high and employees turned out on the streets.

Naturally, the breadth and scale of the business scandals have prompted lots of discussion about reform. But what seems to be at the root of the unprecedented wave of abuses is something that can't be regulated: an out-of-control corporate culture that embraces the Dark Side.

As the current cases illustrate, dishonesty reigned in the boardrooms of many publicly held companies. The allegations include questionable accounting, insider trading and tax fraud. Everyone seemed in cahoots: CEOs, accountants, corporate attorneys, investment bankers, stock analysts and boards of directors. In the end, many corporate chieftains walked away from wrecked or tainted companies—scot free and millions of dollars richer.

But because accountability and ethics are so difficult to legislate and enforce, changing the business culture is perhaps the most enduring solution—although it is not necessarily easy or quick. That requires change from within. It requires, as Treasury Secretary Paul O'Neill suggests, that ethical CEOs set the tone by denouncing the abusive practices. It requires the gatekeepers—the boards of directors, accountants, corporate lawyers and investment bankers—to vigorously uphold their fiduciary and moral responsibilities by providing oversight and leadership. Shareholders, too, need to take a more active role.

Some of the most potent reform efforts are coming from the business world. One money manager has put together a hefty group, including Warren Buffett, that intends to challenge companies in the Standard & Poor's 500-stock index on corporate-governance and executive-compensation issues. Among the requirements discussed by the New York Stock Exchange is that boards have a majority of independent directors, those without a business or family tie to the companies.

Whether it is pressure from prosecutors, the markets or shareholders, the current corporate culture, bred in the boom of the '90s, undoubtedly will have to change to salvage the shaky stock market. The question at hand is whether the transformation will be complete and long-lasting.

NATALIA R. HORAK: A DAZZLING STAR IN A BRIEF SHINING MOMENT

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. BARCIA. Mr. Speaker, I rise today to ask my colleagues to join me in honoring and

remembering Natalia R. Horak, the 16-year-old daughter of Fritz and Lucy Horak of Bay City, Michigan. Tali died last year after suffering from bacterial meningitis, a disease that all too often takes the lives of our young people. Sadly, Tali's time on earth was cut short, but her life was beautifully spent in the few years she was among us. She has left an indelible mark on our community.

Tali loved her family and her many dear friends as fully and as ardently as she embraced life. Her zest for living, her enthusiasm and her exuberant personality captured the heart of all those fortunate enough to have fallen under her enchanting spell. A mere smile from Tali, something she did often, was enough to uplift and buoy the lowest of spirits. In fact, her teammates on the swim and golf teams constantly looked to her for encouragement and inspiration.

A graduate of Saint James Elementary School and Holy Family Middle School, Tali was a sophomore at Bay City Western High School. As a freshman, she was a varsity letter winner in swimming and golf. On the Saturday before she died, Tali swam her best time ever in the 100-yard butterfly and the 100-yard breaststroke at a Saginaw Valley Conference swim meet. She also was a superior student, an avid downhill skier and a wonderfully gifted young woman.

When Tali passed away, the loss for her parents, Fritz and Lucy, her brother, Frederick, her sister, Marisa, and the rest of her family certainly was unimaginably devastating. The hurt felt by her friends and teammates also must have seemed unbearable. The passage of time does not repair the holes in the hearts of Tali's friends and family. However, remembering Tali as she lived allows her bright light to shine for those fortunate enough to have experienced her love and friendship.

Finally, Mr. Speaker, I ask my colleagues to join me in remembering the bright light that was Tali Horak. I have faith that Tali's star continues to shine brightly over us and that her exuberant spirit will always uplift and invigorate those who honor her memory. As we look up at the sky on the Fourth of July to watch the razzle and dazzle of the magnificent fireworks display in Tali's honor, let us recall her brief but radiant life and be thankful her beauty graced our lives.

TRIBUTE TO THE CHALDEAN FEDERATION OF AMERICA'S 20TH ANNUAL HIGH SCHOOL AND COLLEGE COMMENCEMENT CEREMONY

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. BONIOR. Mr. Speaker, today I rise to recognize the Chaldean Federation of America, who celebrated their 20th Annual High School and College Commencement Ceremony on June 11, 2002.

As southeastern Michigan is home to a thriving Chaldean American community, we have the opportunity to recognize the accomplishments and contributions of a fabulous people. They possess a focused vision of their future and will do all they feel is necessary to ensure prosperity. Established in 1980 as an

umbrella association of Chaldean organizations, the Chaldean Federation of America is the only national representative of the Chaldean people. As a community-based organization representing over 120,000 Chaldean Americans in the metropolitan Detroit area alone, the Chaldean Federation's commitment to promoting the Chaldean heritage and traditions as well as actively supporting their local community is truly outstanding.

The Chaldean Federation of America's Commencement program has existed for the past 20 years, and in this time they have awarded a remarkable 400 scholarships and other contributions to help Chaldean youth pursue academic achievements. As a result of these generous scholarships, students have been encouraged to enter professional fields like medicine, law, education, business, and many others.

Our great state of Michigan is home to thousands of Chaldean Americans, patriotic citizens who give so much to this country every day. Once again, they are standing together, celebrating the achievements of their young graduates as a community. The spirit and enthusiasm of the Chaldean American community of Southeastern Michigan has been such an invaluable asset to our great state.

I urge my colleagues to join me in congratulating the Chaldean Federation of America and the entire Chaldean American community of southeastern Michigan on this landmark day, and I salute them all for their years of tremendous contributions and support.

HONORING MR. RUPERT SEXTON, CUMMING, GEORGIA

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. BARR of Georgia. Mr. Speaker, I am pleased to recognize Mr. Rupert Sexton of Cumming, Georgia for his 32 years of service on the City Council for Cumming, Georgia.

Mr. Sexton has lived in the Cumming community in Forsyth County since his birth, and has honorably devoted much of his adult life to serving his fellow citizens. In addition to his years of service on the Cumming City Council, Mr. Sexton is a veteran of the United States Army and a graduate of Massey College.

Among the many projects which Mr. Sexton has overseen during his tenure, are the rebuilding of the Cumming square, new sidewalks, and construction of a much needed new City Hall.

It is thanks to devoted citizens like Mr. Sexton that our great nation is able to provide protections for our freedoms which maintain our way of life; and the vital services that improve our quality of life.

HAPPY 40TH ANNIVERSARY, EDS

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. SESSIONS. Mr. Speaker, it is not often a \$1,000 investment becomes a \$21.5 billion

powerhouse. But a modest investment is how Electronic Data Systems (EDS) started 40 years ago today.

EDS is a leading provider of information technology and business consulting services to businesses and governments worldwide. During its first 40 years, EDS changed the face of information-technology (IT) services while helping IT services grow into a global, half-trillion dollar market. For 40 years, EDS won its customers' trust through diligence and innovation.

American business could learn a lot from EDS' focus on long-term trust-building.

EDS had an unconventional operation when it opened for business on June 27, 1962. The company that would found the information-technology services industry didn't own any computers. So managers convinced a Dallas insurance company to rent EDS time on its idle computers at night.

With only 30 employees and a shoe-string budget, EDS relied on employees to sell data-processing services during the day and process that data at night. Everyone wore more than hats and put in long days.

EDS' first contract was with Collins Radio in Iowa, and its next was a five-year agreement with Frito Lay to provide facilities management, a service in which EDS assumed responsibility for operating, maintaining, and upgrading companies' computers.

It was 1965 before EDS bought its first computer. By 1969, EDS owned 31 computers, employed 1,407 employees, and earned revenue of some \$100 million.

Besides computers, the 1960s brought EDS new public-sector business that would ultimately transform the small company into an industry giant: Medicaid and Medicare, fundamental components of the Great Society. The late '60s found states struggling to implement these essential health-care programs for the elderly and the economically disadvantaged. The workload was overwhelming. EDS was prepared to help with proprietary systems and processing methods, many adapted from its previous transaction-processing work.

The many partnerships among EDS and states' Medicare and Medicaid programs flourished. By 1981, EDS processed Medicare claims in 16 states. The corporation now processes more than a billion health-care transactions—public and private—every year. That's one claim for every four Americans.

From its 1960s position as a modest Texas company that processed health-care insurance claims, EDS grew into a global corporation with 140,000 employees worldwide and more than 35,000 clients in more than 60 countries.

In EDS' early years, few understood how IT would change business. No one yet grasped how crucial information and access to it would become, not just for companies, but for the approaching global information culture.

From the beginning, EDS understood information's importance. That's why the company spent the last four decades ensuring the security of its clients' information and infrastructure technologies.

EDS has a rich history serving the federal government. In 1977, EDS signed its first major U.S. government contract with the National Flood Insurance Program. Some 25 years later, EDS continues that relationship.

In 1982, the U.S. Army awarded EDS Project Viable, the largest IT contract ever let by the U.S. Army at the time. The \$650 mil-

lion, 10-year contract called for EDS to build an information technology system for the Army to support its worldwide human resources activities. EDS' work on Project Viable not only launched the systems-integration market, but demonstrated EDS' ability to handle the largest and most complex IT projects on the planet.

Despite its focus on thorny information-technology projects for corporations, governments, and military organizations, EDS people know that IT has humane applications. In 1990, for example, EDS helped develop In Touch, which enabled veterans to find the families and friends of Americans who died during the Vietnam conflict—veterans' buddies, friends, confidantes, and commanders. EDS has replicated the In Touch system during the last 10 years for similar humanitarian applications.

Also in 1990, EDS collaborated with the Smithsonian Institution in Washington, D.C., to create Information Age, a hands-on exhibit that walked visitors through the decades to witness information technology's progress from ENIAC, the first electronic digital computer, to high-definition television.

In 2000—some 18 years later—EDS won the \$6.9 billion Navy Marine Corps Intranet contract, the largest IT-services contract ever awarded by the U.S. government. NMCI gives the Navy state-of-the-art information security while providing it the technology and bandwidth for business transformation.

EDS became a wholly owned subsidiary of General Motors in 1984. GM bought EDS to manage its global telecommunications network to link suppliers and dealers and thereby create the first large-scale electronic data interchange. The GM relationship gave EDS swift access to new markets, resulting in explosive growth. EDS zoomed from some 13,000 employees to more than 60,000 in just a few months.

EDS also helped prove the relationship between companies' IT investment and their productivity. Based on the performance of EDS' clients, many came to understand that efficient IT investment leads to more efficient business operations. It became clear that IT turns data into information and information into the kind of knowledge that drives growth.

By the 1990s, EDS was a global corporation with operations in some 30 countries. EDS designed and installed the official Results Reporting Information Systems for the 1992 Olympic Games in Spain, making it easier for fans and the press to get results faster. Also during the '90s, EDS won a \$1.5 billion contract with the United Kingdom's Inland Revenue, and a similar contract with New Zealand's tax-gathering agency. The government of South Australia followed suit. Meanwhile, Rolls Royce contracted for EDS to it with a full range of IT services, including infrastructure, network, systems, and applications. The Commonwealth Bank of Australia also became a major EDS client. In 1998, EDS technology helped more than 12 million Internet viewers watch the 1998 World Cup live.

As 1999 drew to a close, EDS worked with its global clients, and even non-customers, to ensure a flawless transition of myriad public and private IT systems to the Year 2000. EDS was so confident of its Y2K solutions that it opened the Millennium Management Centre to the press so everyone could witness what ended up as a flawless transition from December 31, 1999 to January 1, 2000.

On Super Bowl Sunday 2000, millions watched the Cat Herders, EDS' first Super Bowl commercial. It humorously explained what EDS does better than anyone else in the IT industry—help clients work better, smarter, faster, and cheaper.

EDS originated the idea of a Service Excellence Dashboard, a two-way interactive on-line tool EDS leaders and EDS clients can use to gauge and critique EDS' performance. The innovative dashboard and became a differentiator for EDS. It is continuously updated and improved based on client feedback. Others in the IT industry now use similar systems.

So, please join me in congratulating EDS on this auspicious occasion. At a time when "dot-coms" popped up and then, just as abruptly, disappeared, EDS continues to offer insight on how to be successful: Offer clients what they need, then provide even more.

Happy 40th anniversary, EDS.

PAYING TRIBUTE TO JIM HOKIT

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. McINNIS. Mr. Speaker, it with great pride that I take this opportunity to pay tribute to Jim Hokit. Jim has been a valued member of the Montrose community for over twenty years. During this time he has served his community as the manager of the Uncompahgre Valley Water Users Association. Through his leadership and hard work Jim has brought the Association into a golden age even paying off its outstanding debt forty-five years early. Now after 30 years with the company Jim is retiring from the association. I can think of no better way to celebrate Jim's retirement than to recognize his successful career and his contributions to our community.

Jim's position as manager of the Uncompahgre Valley Water Users Association is just one of the accomplishments that Jim has achieved. He has served on the Colorado Water Congress in every executive office, as chair of multiple committees and on the board of directors since 1981. Because of Jim's expertise and experience, he served as President of the Colorado Water Congress in 1994 through 1995. Jim is also a member of the Four States Irrigation Council and served as president in 1988. In recognition of Jim's tireless dedication to the Council he has received every award that the Council gives including the President's award. Jim is active in many organizations including the Colorado River Water Users Association and Club 20. Due to his passion for water issues, experience in the field and excellence, Governor Owens appointed Jim to the Colorado Water and Power Authority.

In addition to his service to the State of Colorado in water issues Jim is also involved in his community of Montrose. He has served as director of the Montrose Economic Development Council for nine years and director of the Montrose Chamber of Commerce for six years. Perhaps most importantly Jim is a loving husband to his wife Betty and a devoted father to his three children and grandfather of two.

Mr. Speaker, it is truly an honor to bring the life of a man like Jim Hokit to the attention of

this body of Congress and this nation. Jim has gained the respect of his colleagues and fellow citizens and I am proud to represent him and his family. Jim's life is a testament to hard work and a passion and an example to us all. Thank you Jim for all that you have done to protect our precious resource of water and all that you have done for your community and enjoy your retirement.

A TRIBUTE TO THE FIGHTING MEN
AND WOMEN OF CANADA AND
AMERICA

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. BARCIA. Mr. Speaker, I rise today to honor all those American and Canadian soldiers, sailors, airmen and Marines who have sacrificed their lives in military conflicts over the years, especially those killed in our joint struggle against the evils of terrorism in Afghanistan and throughout the world.

Throughout our mutual histories, America and Canada have enjoyed a special kinship and a great friendship. Our longstanding defense partnership with Canada traces back to World War II and remains well-entrenched and highly successful. Our commonality of interests and heritage often has resulted in significant collaboration in times of war as well as times of peace. America has no better friend than Canada and vice versa.

Americans and Canadians owe a debt of gratitude to those citizens of both nations who have donned their country's uniforms and gone off to war. The freedoms we enjoy in the United States and those enjoyed by our friends to the north remain intact in large measure because of the willingness of our brave men and women to stand up to tyranny and aggression wherever such acts have occurred. Today, we are faced with a new kind of war and again America and Canada have teamed up to vanquish those who would destroy our way of life. Together, we will win the fight and protect the freedom-loving people of our two peaceful countries.

Sadly, this new war has already taken its toll on America and Canada with the unimaginable loss of life that occurred in the vicious terrorist attacks at the World Trade Center in New York, on that doomed flight that crashed in rural Pennsylvania and at the Pentagon in Washington, D.C. Families in both our countries suffered losses in those tragedies and in the subsequent military actions in Afghanistan and elsewhere.

Finally, Mr. Speaker, I ask my colleagues to join me in paying tribute to those patriots in Canada and the United States who willingly put life and limb on the line to protect and defend our liberties. A free society comes with a price and those brave Americans and Canadians who paid the ultimate price deserve a place of honor on the platform of freedom shared by our two individual nations.

STATEMENT ON FEDERAL TRADE
COMMISSION'S INITIATIVE TO
EDUCATE PARENTS ABOUT
INTERNET GAMBLING

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. WOLF. Mr. Speaker, I want to share with our colleagues my statement regarding the Federal Trade Commission's recent announcement of an initiative to educate parents about children and Internet gambling. This Congress must make it a priority to pass Internet gambling legislation this year. Our children and families deserve nothing less than our best effort on this critically important issue.

STATEMENT BY THE HONORABLE FRANK R.
WOLF OF VIRGINIA

FTC INTERNET GAMBLING INITIATIVE
COMMERCE-JUSTICE-STATE APPROPRIATIONS
SUBCOMMITTEE

Thank you all for being here today. I also want to thank and recognize the efforts of the others who will speak after me: Timothy Muris, chairman of the Federal Trade Commission; Dr. Rachel Vollberg, board member on the National Council on Problem Gambling, and Dr. Marianne Guschwan, chair of the American Psychiatric Association's Committee on Treatment Services for Addicted Patients.

Thank you all for appearing here today and for offering this public education initiative on an urgent issue facing this country's youth and families—the proliferation of Internet gambling.

As a member of Congress, I have been deeply concerned about the spread of gambling in this country. Perhaps no where has the proliferation been more explosive than in Internet gambling.

In 2000, Bear, Stearns & Co. Inc. reported that there were then at least 650 Internet gambling web sites, and that total revenues for 1999 had been \$1.2 billion (an 80 percent increase from 1998) and would grow to \$3 billion by this year, 2002. Others estimated that Internet gambling could soon easily become a \$10 billion-a-year industry. Several new gambling sites appear on the web every day.

The negative consequences of online gambling can be as detrimental to the families and communities of addictive gamblers as if a bricks and mortar casino were built right next door.

Just as with traditional forms of gambling, online gambling can result in addiction, bankruptcy, divorce, crime, and suicide—the costs of which must ultimately be borne by society.

In its 1999 final report to Congress, the bipartisan National Gambling Impact Study Commission expressed alarm about the growing problem of youth gambling. The commission said, "Adolescent gamblers are more likely to become problem or pathological gamblers."

Several studies also have shown the link between youth gambling and its association with alcohol and drug use, truancy, low grades and illegal activities to finance gambling.

As the gambling commission noted, youth gambling like youth smoking is often an issue of accessibility and marketing. There is perhaps nothing more accessible to children today than the Internet. The commission's report asked, "How do we as a nation quantify the values in lost opportunities to these young individuals?"

According to the gambling commission, gambling on the Internet is especially entic-

ing to youth, pathological gamblers, and criminals.

But there are currently no mechanisms in place to prevent young people—who make up the largest percentage of Internet users—from using their parents' credit card numbers to register and set up accounts for use at Internet gambling sites.

The National Gambling Impact Study Commission recommended that a total prohibition of gambling on the Internet would provide law enforcement with the additional authority it needs to prosecute dishonest operators.

Internet gambling evades existing anti-gambling laws, endangers children in the home, promotes compulsive gambling among adults, preys on the poor, and facilitates fraud.

I could stay here all day cataloging story after story of ruined families, bankruptcies, suicides and official corruption which at their root you can find a history of gambling.

Gambling is a dangerous product. Study after study has shown that for many in our society, it is also strongly addictive. Gambling's proliferation over the Internet in the last few years illustrates just how pervasive and accessible it is to our youngest citizens.

I am hopeful that Congress will pass Internet gambling legislation this year. In the mean time, the FTC, the National Council on Problem Gambling, and the American Psychiatric Association have taken the lead in calling to the public's attention the risks of online gambling.

These organizations deserve public praise.

Internet gambling is particularly targeted to young people, and public education about the inherent dangers of online gambling is vital to helping parents protect their families.

IN HONOR OF SISTER PATRICK
CURRAN

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Ms. PELOSI. Mr. Speaker, I rise to honor the life and work of Mercy Sister Patrick Curran, who died peacefully on June 10, 2002. Sister Patrick was an inspiration and a friend to so many, and we were blessed to have her with us. Her entire life was an act of worship, and we will cherish her memory forever.

Sister Patrick's life embodied a Franciscan spirituality of compassion for and solidarity with the poor. Throughout her life, Sister Patrick devoted herself unconditionally to serving her sisters and brothers who were poor and elderly. She worked as a young nun in Harlem and East Los Angeles, in residential care facilities in Denver and St. Paul, and in elderly and homeless organizations in the San Francisco Bay Area.

Having spent 20 years with the Little Sisters of the Poor, including several years at St. Ann's home in San Francisco, Sister Patrick Curran transferred to the Sisters of Mercy in Burlingame in 1984. She spent 12 years as Vice President and Chief Operating Officer of the Mercy Retirement and Care Center in Oakland before accepting a position as Executive Director of the St. Anthony Foundation, a homeless service and advocacy agency in the Tenderloin of San Francisco.

St. Anthony Foundation is best known for its Free Dining Room that serves an average of 2,000 meals each day. It also has a dozen other programs that serve homeless and low-income people. Her leadership guided St. Anthony Foundation through important times in its history and development. She distinguished herself by her ability to bring together very talented people—staff, volunteers and donors—to provide quality service to St. Anthony's guests. She was steadfast in her efforts and once remarked, "You can't give up hope. I see poverty but I see more hope. At St. Anthony's we have hundreds of young people coming to work. The young people are a sign of hope for the future."

Her work in the Bay Area and around the nation was recognized in 2000 when Archbishop William Levada presented her with the Pro Ecclesia et Pontifice Cross, an award bestowed by the Pope on lay persons and clergy who have given exceptional service to the Church. In 2001, she received an honorary degree from the University of San Francisco School of Nursing for her years of service to the sick and aging.

It is with great personal sadness and recognition of their loss that I extend my deepest sympathy to her mother Bridget Curran, her entire family, and to her religious community, the Sisters of Mercy of Burlingame. To all who loved Sister Patrick, thank you for sharing her with us and for giving her so much happiness. I am proud to join my constituents in thanking and praising Sister Patrick for her dedication to the elderly and poor of California and of this Nation.

TRIBUTE TO MITCH KEHETIAN,
LIFETIME ACHIEVEMENT
AWARD, METRO DETROIT SOCIETY OF PROFESSIONAL JOURNALISTS

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. BONIOR. Mr. Speaker, each year the Metro Detroit Society of Professional Journalists holds its annual banquet, a celebration honoring local journalists and the recent work they have accomplished. This banquet is traditionally the largest Society of Professional Journalists event of the year, honoring distinguished journalists with the prestigious Lifetime Achievement Award. Recipients of this award have shown outstanding dedication to journalism and their contributions continue to leave a lasting impression on all those in the field. This year, on June 26, 2002, as the Metro Detroit Society of Professional Journalists honored three local journalists with Lifetime Achievement Awards, they honored Mitch Kehetian, for his leadership and outstanding dedication to field of journalism.

A long-time Macomb Daily editor, Mitch Kehetian is a landmark journalist for the Metro Detroit area. Working hard as a reporter for the Detroit Times, Mitch wrote and reported for the paper until its close on November 6, 1960. Working a variety of reporting jobs in Ohio and Michigan, he then established himself permanently at the Macomb Daily, where he has held a number of excellent positions, including managing editor and editor-in-chief.

Known to his community and colleagues for his unparalleled commitment to the field and unwavering focus, he has truly led the Macomb Daily to excellence. Also a former Society of Professional Journalists chapter president, his outstanding efforts with the Society of Professional Journalists continue today as he leads the way in pursuit of the highest standards of journalistic excellence.

I applaud Mitch Kehetian and the Metro Detroit Society of Professional Journalists for their leadership, commitment, and service, and I urge my colleagues to join me in saluting them for their exemplary years of leadership and service.

A TRIBUTE TO CHAPTER 571 OF
THE VIETNAM VETERANS OF
AMERICA ON THE OCCASION OF
THE DEDICATION OF THEIR MEMORIAL AND MUSEUM

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. STUPAK. Mr. Speaker, I had an opportunity on Memorial Day 2002 to attend an extremely moving and inspirational event in my congressional district.

On that day, in the small town of Hermansville in Michigan's Upper Peninsula, members of Chapter 571 of the Vietnam Veterans of America dedicated the Thomas St. Onge Vietnam Veterans Museum and Memorial.

Creating this museum and memorial has been a project based on love, dedication and pride. You might even say, Mr. Speaker, that this museum is a structure built literally on donations, because the land for the museum itself was donated by local residents Richard and Anne Lungerhausen, and planning was done in the clubhouse, a structure donated by Wells Fargo.

I said this was a project based on love. Tommy St. Onge was killed in 1969 in the bitter fighting in the A Shau valley, a battle for control of the northern highlands of South Vietnam. Tommy's death was one of many tragedies recounted in the book *Hamburger Hill* by Samuel Zaffiri. Although he died more than three decades ago, Tommy is remembered with love by his peers. Love and fellowship permeate this project, Mr. Speaker. The dedication ceremony booklet quotes Major Michael O'Donnell, himself a Vietnam casualty, who wrote lines that are so well known to Vietnam veterans, "Be not ashamed to say you loved them, though you may or may not have always. Take what they have left and what they have taught you with their dying and keep it with your own."

This museum does just that, Mr. Speaker. It takes those things "they have left," as Major O'Donnell said—including artifacts as large as a Bell U-H1 "Huey" helicopter and an M-60 Main Battle Tank—and it uses them to teach new generations.

And what does this museum teach about the Vietnam War, and the men and women who served and died there? The 34 members of Chapter 571 have this to say about the mission and goal of their museum and memorial: "Our wish is for all people to remember them as they were, forever young, husbands, sons,

daughters, brothers, sisters, and friends. We hope to educate the public, especially those who were too young to understand what this war was all about."

History has yet to truly judge this war, Mr. Speaker, but we know there are lessons to be learned right now. The single greatest lesson we can teach our children is that it was not for lack of dedication, faith, patriotism, comradeship or discipline on the part of the American soldier, sailor or airman that South Vietnam ultimately fell to the North Vietnamese army. Our fighting men and women, who were sometimes savagely and terribly treated by opponents of the war at home, went to Vietnam in answer to the call to duty. There they suffered grievous wounds, the loss of comrades, and sometimes the loss of faith and idealism, but they answered the call to duty! In the history of America's wars, here has been no higher honor gained, nor greater sacrifice made, than that of the veterans of our war in Vietnam!

In the small town of Hermansville in Michigan's Upper Peninsula, the members of Chapter 571 of the Vietnam Veterans of America and their families and other club members have worked since 1996, donating thousands of hours and thousands of their own dollars in pursuit of the dream of celebrating this honor and sacrifice. Their dream is not complete, Mr. Speaker. Jerry Ayotte, the chapter's president, described for me the concept of a museum that will one day have a rotunda with four wings to include personal mementos and military memorabilia from World War I, World War II, and the Korean War.

I encourage you and all our colleagues to visit this museum, Mr. Speaker. It's located at N 16462 Linden Street, and, until a regular staff can be hired, it's open only on Sunday afternoons, when two volunteers are available. Hermansville is a small town, but it was small towns like this across America that supplied our heroes in Vietnam, and that continue to support our military with their taxes and—the greatest sacrifice—with their own sons and daughters.

When you are there, you can meet and thank—as I have had a chance to meet and thank—the members of Chapter 571 for their efforts to keep alive both the memories of fallen comrades and the conviction that these comrades did not fall in vain, because they offered their lives in the belief that they fought for America's greatest ideals of freedom.

Vietnam Veterans of America Chapter 571 and their spouses are: Richard Adams and his wife Ann, Peter and Karen Anderla, Ronald and Debbie Augustine, Gerald and Patti Ayotte, Calvin and Cindy Baird, Roger Clark, Edward J. Donahue, Darryl D. and Gretchen Fossen, William N. Isetts, Robert and Cathy Laroche, Bernard E. and Brenda Loukkala, Russell Peters, Dale I. and Sharon Peterson, Dennis C. and Beth Peterson, Edwin L. Plettner, Gary F. Poupore, Terrance L. Richer, Wayne J. and Linda Rochon, Lyle R. and Jo Schoen, Norman J. Schreiner, Louis R. Schuette, Roger L. and Priscilla Schuette, Peter Tanguay, Ronald D. and Susie Tomasi, Roger J. and Randy Treves, Terrence W. and Rosemary Trudell, Donald J. Trulock, Thomas R. and Sally Unger, Paul C. Vinzant, James R. and Rebecca Wash, James E. Watson, Edwin R. Whytsell, Edward A. and Marianne Zahn, and Ronald E. Zahn.

HONORING THE LIFE OF JOHN
FRANCIS "JACK" BUCK

SPEECH OF

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2002

Mr. JOHNSON of Illinois. Mr. Speaker, today it is my pleasure to join my colleagues in honoring a truly great American, Jack Buck. For nearly five decades, Jack Buck's memorable voice announced Super Bowls, World Series and the games of his beloved St. Louis Cardinals. I was honored to actually be in the broadcast booth at Busch Stadium with him on a few occasions. Growing up in Central Illinois, Jack Buck became baseball to me. His voice was that of a trusted friend's and he became like a member of my family. I distinctly remember his calls of Stan Musial, Bob Gibson, Ozzie Smith and Mark McGwire and I will never forget game five of the 1985 National League Championship Series. Ozzie Smith had hit a home run to beat the Los Angeles Dodgers and a very excited and emotional Jack Buck told everyone to, "Go crazy, folks, go crazy". This man, this legend, came from nothing to become everything he wanted to be. He is a shining example of what is good and right and what can be achieved in our country. Tradition and the integrity of baseball are words that come to my mind when I think of this pillar of his community. He did so much for St. Louis and those of us in the Midwest fortunate enough to have KMOX on our dials. My thoughts and prayers are for the Buck family and the fans of Jack Buck and the St. Louis Cardinals organization in this time of mourning.

PAYING TRIBUTE TO PATTY
ERJAVEC

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. McINNIS. Mr. Speaker, I would like to take a moment to pay tribute to Patty A. Erjavec for her outstanding contributions to the business community of Pueblo County, Colorado. Patty was recently awarded the Charles W. Crews Business Leader of the Year Award by the Greater Pueblo Chamber of Commerce in recognition of her selfless leadership within the business community, leadership that deserves the appreciation and respect of all Coloradans.

Patty Erjavec believes strongly in the importance of an educated workforce to bring about economic revitalization in the Pueblo area. As President of the El Pueblo Boys' & Girls' Ranch, she has worked tirelessly to insure that future generations have the access to a solid education that they deserve. At the ranch, Patty has invested herself in the lives of many children, showing them the love and compassion which has helped to form them into productive members of the Pueblo community.

Patty has been active in numerous other civic organizations, each expressing her vision for a brighter and more prosperous future for the business community of Pueblo. During her

presidency of the Pueblo Rotary Club #43, she actively organized the membership to provide tutoring, mentoring and parenting classes to an underprivileged elementary school with a significant number of families living well below the poverty level. As a member of the State Board for Community Colleges and Occupational Education, Patty has been able to influence statewide policies in order to support the development of an educated workforce.

Mr. Speaker, it is my privilege to pay tribute to Patty Erjavec for her contributions to the Pueblo community. I applaud her receipt of the Greater Pueblo Chamber of Commerce's "Business Leader of the Year" award recognizing her significant achievements for the good of the community. Patty serves as a shining example that a woman can successfully manage career goals and family responsibilities while making time to give back to her community. For these reasons I bring Patty Erjavec to the attention of this body of Congress and applaud her devotion to the people of Pueblo.

HONORING DONALD AND RUTH
McNULTY ON THEIR 50TH WED-
DING ANNIVERSARY

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. QUINN. Mr. Speaker, I would like to take this opportunity to honor the 50th wedding anniversary of Donald and Ruth McNulty of Blasdell, New York. As family and friends will gather to celebrate this joyous occasion, I too would like to recognize them at this special time. Following their hearts throughout this 50-year journey has led to happiness and a loving life together.

Love has flourished between these two hearts, but not without dedication and hard work. This celebration of 50 years is a remarkable accomplishment and is to be commended. Mr. Speaker, it is with excitement and admiration that I extend my congratulations to Donald and Ruth and offer them my best wishes for many years to come.

JON LOCKE: SADDLING UP FOR
THE OLD WEST

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. BARCIA. Mr. Speaker, I rise today to pay tribute to Jon Locke, a journeyman actor whose feature-length films and television credits read like a viewer's guide to the great Westerns so many of us enjoyed during our youth. Cowboy actors such as Jon Locke not only entertained us, they also helped unlock the history of the real West by giving viewers a glimpse of the legendary men and women who settled our American frontier.

Over the years, many fans saddled up and rode along with Jon Locke and scores of other cowboy actors as they journeyed back to the Old West by watching celluloid versions of our frontier legends. While the names of all these actors may not be as recognizable as some of

the top-billed stars who rode off into the sunset, the supporting cast of faithful sidekicks, bad guys, cowpokes, gunfighters and others were unmistakable and essential to the Western myths that have become such an important part of our American culture.

Fans will recognize Jon for his appearances in episodes of "Gunsmoke," "The Texan," "Cimarron City," "Bonanza," "The Virginian," "Wagon Train," "Laramie," "Tales of Wells Fargo," "Sheriff of Cochise," and "Custer," to name a few, and also for his roles in feature films for MGM, Universal Studios, 20th Century Fox and Walt Disney Productions. He also appeared in "Land of the Lost," "The Waltons," "Perry Mason" and many other classic television shows of bygone days, some of which now can be seen in syndication.

As a characteristically American film genre, Westerns occupy an honored place in the hearts and minds of all of us who see honor and glory in the rugged individualism portrayed in those movies. Jon Locke has been an integral part of the history of the Western in movies and on television throughout his acting career. Still active in the film industry, Jon also does his part to keep the memory and spirit of the Old West alive by appearing at reenactment events and Western festivals throughout the country. He usually brings his banjo along and has been known to sing a tune or two.

Finally, Mr. Speaker, I ask my colleagues to join me in applauding Jon Locke for embodying in his acting the true grit, valor and work ethic of the cowboys, frontiersmen and pioneers who forged ahead to make America the great and noble nation it is today. I am confident that Jon won't hang up his spurs until the last roundup is over. He truly has kept the campfire burning for all those aspiring young cowboys and cowgirls of the future.

CONGRATULATING A.M. ROSEN-
THAL IN RECEIVING THE PRESI-
DENTIAL MEDAL OF FREEDOM

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. WOLF. Mr. Speaker, last week, President Bush announced the recipients of the Presidential Medal of Freedom, the nation's highest civilian honor. A.M. Rosenthal, a Pulitzer Prize winner, former executive editor of the New York Times, and human rights advocate was named as one of the prominent Americans to receive the Presidential Medal of Freedom.

Mr. Rosenthal led the fight against tyranny, against communism and he provided a valuable voice in raising America's attention to the problem people from a variety of faiths being horribly persecuted simply for their religious beliefs.

Mr. Rosenthal should serve as an inspiration to the future American generations that one can change the world by passionately seeking truth and justice.

Congratulations Mr. Rosenthal on winning this prestigious and honorable award.

I want to enclose for the record this article from the Washington Times that describes in more detail the contributions of Mr. Rosenthal and the other recipients of this elite honor.

{From the Washington Times, Friday, June 21, 2002}

12 RECEIVE PRESIDENTIAL MEDALS—MANDELA, NANCY REAGAN, ROSENTHAL, MR. ROGERS HONORED

(By Joseph Curl)

President Bush yesterday announced the recipients of the Presidential Medal of Freedom, a list that includes two writers, three entertainers, an athlete and a former first lady.

Among the dozen to receive the nation's highest civilian honor is A.M. Rosenthal, a Pulitzer Prize winner for foreign correspondence who became the executive director of the New York Times. He writes a weekly column now for the *The Washington Times*.

"Believe me, it never occurred to me that I would be given a medal by the president—or anyone else," Mr. Rosenthal said in a telephone interview last night. The White House praised Mr. Rosenthal's efforts "to highlight the suffering of oppressed people, especially religious minorities."

Mr. Rosenthal began in newspapers in the 1940s traveled the world as a foreign correspondent. In 1960, won the Pulitzer Prize for his reporting from Poland. He served a stint in India before returning to New York to become the top editor at the *New York Times*. The other recipients, all of whom will receive their medals in a White House ceremony in July, are:

Nancy Reagan, wife of former President Ronald Reagan, for her long anti-drug work as first lady and her continued work against drug and alcohol abuse through the Nancy Reagan Foundation.

Nelson Mandela, who led the fight to end apartheid in South Africa over the course of his 73-year public life. Mr. Mandela was imprisoned by the South African government in 1962 and was released on Feb. 11, 1990. Mr. Mandela was awarded the Nobel Peace Prize in 1993 and inaugurated as the first democratically elected president of South Africa on May 10, 1994.

Katharine Graham, who led *The Washington Post* until 1993 and, the White House said, "was known as an editor who maintained excellence by supporting her reporters and encouraging those who worked for her." She was chairman of the Post, but actually never held an editing position.

Hank Aaron, who holds the career records for home runs, at 755. Mr. Aaron, who was inducted into the Baseball Hall of Fame in 1982, played first on a team in the old Negro League and, the White House said, "was unfettered in his pursuit of excellence by frequent encounters with racism throughout his career."

Bill Cosby, a one-time stand-up comedian and one of the most popular television performers of the 1980s with "The Cosby Show," which revolutionized the portrayal of blacks on television. "Throughout his career," the White House said, "Dr. Cosby has appealed to the common humanity of his audience, rather than the differences that might divide it."

Placido Domingo, a renowned opera singer, conductor and arts administrator over his 44-year career. "He was blessed with an unusually flexible voice, which has allowed him to perform in 188 different roles, more than any other tenor in the annuals of opera performance," the White House said.

Fred Rogers, host of "Mister Rogers' Neighborhood" for over three decades, making the show the longest-running program in the history of public broadcasting. "All of his work has been emblematic of the same philosophy and goal: to encourage the healthy emotional growth of children and their families," the White House said.

Peter Drucker, a prominent pioneer of management theory. "Dr. Drucker has

championed concepts such as privatization, management by objective and decentralization" and is "currently applying his expertise to the management of faith-based organizations," the White House said.

Dr. D.A. Henderson, best known for his leadership of the World Health Organization's global small-pox-eradication campaign from 1966 to 1977. "He was also instrumental in initiating the WHO's global program of immunization which now vaccinates approximately 80 percent of the world's children against six major diseases," the White House said.

Irving Kristol, author, editor and professor. "Mr. Kristol's writings helped lay the intellectual groundwork for the renaissance of conservative ideas in the last half of the 20th century. His approach adapted traditional conservative thought with contemporary societal issues and became the framework for compassionate conservatism," the White House said.

Gordon Moore, co-founder of the Intel Corporation who directed the company's growth as the most successful development of the microchip. In November 2000, Mr. Moore and his wife established the Gordon and Betty Moore Foundation with a multibillion-dollar contribution, funding projects in higher education, scientific research, the environment and San Francisco Bay Area projects.

The Presidential Medal of Freedom was established by President Truman in 1945 to recognize civilians for their service during World War II, and it was reinstated by President Kennedy in 1963 to honor distinguished service. It is the nation's highest civilian award.

CELEBRATING SAN FRANCISCO
LESBIAN, GAY, BISEXUAL AND
TRANSGENDER PRIDE AND IN
HONOR OF OFFICER JON D. COOK

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Ms. PELOSI. Mr. Speaker, I rise today in recognition of lesbian, gay, bisexual and transgender pride in San Francisco and to pay tribute to the memory of Jon D. Cook, the first openly-gay San Francisco police officer to lose his life in the line of duty.

This weekend marks the 32nd annual San Francisco Lesbian, Gay, Bisexual, Transgender Pride Celebration entitled, "Be Yourself, Change the World!" This is our time to celebrate San Francisco's proud history of advocacy for equal rights for lesbian, gay, bisexual, and transgender persons and to recognize the important contributions the LGBT Community makes to our City and to our nation.

Officer Jon Cook's legacy is an important example of such contributions. On June 12, 2002, Officer Cook was killed when his police car collided with another police car as they both pursued a suspected violent felon. Before joining the force, he worked as a research scientist searching for a cure and treatments for HIV/AIDS. He also served honorably as a lieutenant in US Air Force intelligence with a top-level security clearance.

Officer Cook touched the lives of many people in San Francisco. More than 2,000 attended his funeral mass, including friends and family members, over 600 fellow officers from throughout Northern California, and hundreds

of residents and community leaders from the Castro and Mission districts that he served. His fellow policemen and women remember him as a dedicated officer who always wanted to be at the scene; residents remember with gratitude the way he looked out for them. "Jon loved being a cop," recalled his domestic partner of three years, Jared Strawderman. "He loved serving his community. He loved being in situations where he could help people. He wanted to go to where the trouble was and fix the problem."

To his parents Jon Sr. and Rosemary Cook; his siblings Bonnie, Brian, Wayne, Jamie and Gary; partner Jared Strawderman; and his many nieces and nephews; we share your loss, and we are grateful for the service Jon provided to the people of San Francisco.

The contributions of Officer Cook and so many others in San Francisco bring into sharp focus the need for basic protections of lesbian, gay, bisexual, and transgender persons. As we mourn the loss of Jon Cook, we also reaffirm our commitment to the fight for equal rights for all and our belief in the beauty of our diversity.

TRIBUTE TO JERRY L. BLOCKER,
LIFETIME ACHIEVEMENT AWARD
WINNER, METRO DETROIT SOCIETY
OF PROFESSIONAL JOURNALISTS

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. BONIOR. Mr. Speaker, today I rise to pay tribute to a man whose leadership and achievements in broadcast television and journalism span the decades and have touched the lives of so many across southeastern Michigan and beyond. Each year the Metro Detroit Society of Professional Journalists holds its annual banquet, a celebration honoring local journalists and the recent work they have accomplished. This banquet, traditionally the biggest Society of Professional Journalists event of the year, also honors distinguished journalists who have shown outstanding dedication to journalism and whose contributions continue to leave a lasting impression on all those in the field, with the prestigious Lifetime Achievement Award. This year, on June 26, 2002, the Metro Detroit Society of Professional Journalists honored three local journalists with Lifetime Achievement Awards, and among them they honored Jerry L. Blocker posthumously, who died on October 31 at age 70.

A pioneer for African American journalists in Detroit, Jerry Blocker was truly a model and a mentor for so many television journalists. Hired by Channel 4 after the 1967 Detroit riots, his work paved the way for so many young African Americans with aspirations for television journalism. He anchored weekend newscasts until 1975, and following a long and prosperous career, he retired from broadcast work in the early 1990s and established his own public relations firm, Jerry Blocker Enterprises, in Farmington Hills. Known for his characteristic low-key and matter-of-fact style, he devoted his life and profession to providing the highest standards of journalistic excellence.

Jerry Blocker always gave one hundred percent in every aspect of his life; his work, his

community, his family and his friends. Those who had the pleasure of knowing him and the benefit of working with him will surely continue to remember him as a dedicated, faithful friend to all. He will truly be missed.

I applaud Jerry Blocker and the Metro Detroit Society of Professional Journalists for their leadership, commitment, and service, and I urge my colleagues to join me in saluting them for their exemplary years of leadership and service.

COMMEMORATING THE 40TH
ANNIVERSARY OF EDS

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. FROST. Mr. Speaker, 40 years ago, June 27, 1962, an industry was born with the investment of just \$1,000. That industry today is nearly half a trillion dollar market and provides jobs to more than 20 million people around the world.

With the founding of EDS, Electronic Data Systems, that day, the world started doing business in a different way as information technology services became part of the global economy. Today, information technology is pervasive. Whether we're using an ATM, making airline reservations, or renewing a driver's license, we are all surrounded by computing power that fundamentally affects how we live.

Plano, Texas-based EDS started small with just a few employees using the excess capacity of other company's computers. Today, EDS has 140,000 employees serving government and business in 60 countries with revenue of \$21.5 billion.

There have been many milestones along EDS's journey.

In the 1960s, EDS developed the first comprehensive system for managing public health care programs. Today, EDS processes 2.4 billion medical claims transactions a year.

In 1976, EDS started processing airline tickets sold by travel agents. EDS is now the largest provider of IT services to the airline industry.

EDS launched the systems-integration market in 1982 with the U.S. Army's Project VISIBLE, a vast and complex human-resources system. At that time, it was the largest IT-services contract ever let by the U.S. Army.

In the 1990s, the United Kingdom's Inland Revenue Service selected EDS to become its IT services provider.

Today, EDS is building a vast intranet for the U.S. Navy and Marine Corps under the largest IT contract ever awarded by the U.S. government. The value is \$6.9 billion.

EDS has long made significant contributions to its communities. Its award-winning JASON Project brings the thrill of discovery to hundreds of thousands of school children each year. The company also provides grants to elementary school teachers so they can bring the latest technology to the classroom. And each fall thousands of EDS employees go out into the community to lend a helping hand as part of Global Volunteer Day.

EDS is entering its fifth decade doing what it does best—managing and integrating information technology services. It is committed to building trust with each client and to making

available to all clients sophisticated information security and business-continuity services.

Well-deployed information technology has fueled significant productivity gains in the last 40 years—particularly in the last decade. These gains are especially valuable today in an interconnected, global, digital economy. EDS is a big part of those gains.

The information-technology industry holds unprecedented opportunity. Everyone wants to be part of it. Many companies are realizing what EDS understood 40 years ago—that even the most groundbreaking technologies quickly lose their edge unless they are creatively and innovatively applied.

Some may think the forty-year milestone may mean middle age is approaching. Not in EDS's case. It is a company as focused on delivering value to its clients today as it was in 1962. It stays young by reinventing itself and listening to its clients.

Mr. President, please join me in saluting EDS for its many contributions to the information technology services industry and in wishing the company well for another 40 years.

2002 SNICKERS REGION I
CHAMPIONSHIP

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. QUINN. Mr. Speaker, I would like to take this opportunity to welcome the 2002 Region I SNICKERS Championship to the Western New York area. The SNICKERS® Region I Championships are the most important United States Youth Soccer registered team competition conducted by the Region, or by any State Association within each State Association each year. As such, this competition requires that each State Association and all members of State Associations support the Championships as their first priority.

The 2002 SNICKERS Region I Championships will be held Friday, June 28th through Tuesday, July 2nd. I would like to extend congratulations to all teams, parents, referees and administration who will be participating in the 2002 SNICKERS Region I Championships. This most prestigious event will be a measure of accomplishment they will always cherish and remember.

Mr. Speaker, I would like to commend all of the participants in the 2002 Region I SNICKERS Championship for their focus on the young athletes of America's future. It is the goal of not only preparing the athletes for competition but to promote positive contributions towards an equally important world of physical fitness—with learning at the heart of all of our activities.

AMERICAN CITIZENS TAKEN
AGAINST THEIR WILL TO SAUDI
ARABIA

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. WOLF. Mr. Speaker, I commend to our colleagues' attention an editorial from yester-

day's Wall Street Journal that highlights the many cases of American women who have been forcibly taken to Saudi Arabia. Even though they are U.S. citizens, once taken to Saudi Arabia, they have not been allowed to leave.

I hope the 107th Congress and this Administration will put a stop to this practice and receive assurances from the Saudi Government that it will not happen again.

[The Wall Street Journal; Review and Outlook]

ALL THE PRESIDENT'S WOMEN

White House spokesman Ari Fleischer should stop referring to grown women as children. The women in question are Amjad Radwan and Alia and Aisha Gheshtayan, three American citizens in Saudi Arabia whose fate has finally become an issue for Congress.

When reporters at a White House press briefing recently deluged Mr. Fleischer with questions about whether President Bush had raised their plight during an Oval Office chat with the visiting Saudi Foreign Minister, he repeatedly—eight times by our count—invoked the word “custody” or “custody of a child” to characterize how the “President views this.”

It's true that a number of American mothers have had an awful time getting children out of Saudi Arabia, though even here it beggars belief to reduce these to custody disputes. But two of the three cases that the House Government Reform Committee aired during its hearings did not involve children.

Amjad Radwan is 19 years old and, unlike her older brother, cannot leave Saudi Arabia because she is a woman and must have the permission of her Saudi father, who refuses to give it. In highly charged testimony delivered via videotape, Amjad's mom, Monica Stowers, told the House she remains in Saudi Arabia because she fears for her daughter's life; Miss Stowers further reported that both her son and daughter were raped by members of her former husband's family. Alia and Aisha Gheshtayan are also adults.

When pressed on this point, the State Department says it has made every effort to ascertain the women's wishes about returning to America. In the case of Miss Roush's daughters, however, State concedes that it hasn't seen them since the mid-1990s. Moreover, its own human-rights report on Saudi Arabia declares that “physical spousal abuse and violence against women” is “common” and that the Saudi government tends to look the other way. Translation: The only way these Americans are going to be able to speak freely, without fear of returning home to a beating, is to insist that Riyadh give them the exit visas that will allow them to come here.

The truth is that there isn't soul at State or the Saudi Foreign Ministry who doesn't understand that if President Bush were to express his displeasure to Crown Prince Abdullah, then Alia, Aisha and Amjad would be on the next plane for New York. And things would never have reached this dismal stage if the State Department hadn't signaled from the start that it was willing to let all the ground rules be set by Saudi law and custom—even in defiance of U.S. courts, arrest warrants and rights.

Last June, 23 Senators, including leaders Trent Lott and Tom Daschle, signed a letter urging Secretary of State Colin Powell “in the strongest possible terms, to intervene forcefully and in person with the Saudi authorities at the highest levels to secure the prompt release and repatriation of Alia and Aisha Gheshtayan.” The immediate answer was the standard State kiss-off: a letter explaining that the women were “subject to Saudi law.”

But it seems that Congressional interest can have a catalyzing effect on Foggy Bottom. At hearings last Tuesday before the House International Relations Committee, William Burns, Assistant Secretary for Near Eastern Affairs, disclosed that Mr. Powell has now raised the issue with the Saudi Foreign Minister and that he himself brought it up with Crown Prince Abdullah 10 days earlier, on the eve of the Government Reform Committee's hearings.

But Mr. Burns continued to define the issue as a custody dispute. And his remarks suggest that State still refuses to treat this as a state-to-state issue, in favor of a touchy-feely approach about "keeping families connected." This is a long way from "Pardicaris alive or Raisuli dead"—Teddy Roosevelt's tart reaction when a Berber bandit chieftain took an American hostage in Tangier.

In a TV spot running under the title "Allies Against Terrorism," the Saudi government urges Americans to "listen to America's leaders" when it comes to the "facts" about the country that spawned 15 of the 19 September 11 hijackers. It features President Bush vouching for how the Saudis have been "nothing but cooperative." This is their chance to prove it.

HONOR OF MABEL BROWN SCHINE

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Ms. PELOSI. Mr. Speaker, I rise today to pay a final tribute to the magnificent life of Mabel Schine. Mabel passed away recently in San Francisco after a lifetime of community service and leadership. We are very grateful for her distinguished career and her inspirational life, and we will miss her greatly.

As a dietary expert at San Francisco's Mount Zion Hospital, Mary's Help Hospital, and the Jewish Home for the Aged and as the City's first African American District Health Director, Mabel demonstrated her remarkable talents as a dietician and as an expert advisor during her thirty-year career.

Her service to the City of San Francisco included work for the Economic Opportunity Council and Model Cities Program and on the Citizen's Advisory Committee for Mayor Feinstein's Office of Community Development. She served as Treasurer of the San Francisco Black Leadership Forum and was actively involved in San Francisco politics.

Following her retirement, she continued to serve her community at Bayview Hunter's Point Senior Health Day Care Center, Bayview Hunter's Point Boy and Girls Club, and as President of the San Francisco Sickle Cell Disease Foundation. Her service also extended to Contra Costa County where she led non-profit boards, ran government commissions, and tirelessly and eloquently advocated on behalf of the black community.

To her husband Lloyd Schine, her daughter Marvin Jean and her son Lloyd Jr., her sisters, her grandchildren and her many dear friends, thank you for sharing Mabel with our City and our community. I hope it is a comfort to you that so many people share your grief and honor her memory.

TRIBUTE TO PHILIPPINE INDEPENDENCE DAY AND THE FILIPINO AMERICAN COMMUNITY COUNCIL

HON. DAVID E. BONOIR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. BONIOR. Mr. Speaker, today I rise to recognize the Filipino American community of Michigan, who celebrated the Philippine Independence Day on June 22, 2002.

On July 4 of 1946 the Philippines gained its independence. Since that glorious day, the nation has endured many hardships but has continued to persevere. The Philippines and its proud citizens are entering into a new era of political, social, and cultural growth. They possess a focused vision of their future and will do all they feel is necessary to ensure prosperity.

The relationship between the United States and the Philippines is strong and growing stronger. Today, the United States is enriched by the many Philippine Americans who have made this country their home. As the second largest Asian group in the United States, Philippine Americans are making their mark, serving as hard working members of the civic, business, and professional communities. They have made major contributions to nearly every facet of American society.

As Michigan is home to a thriving Filipino American community, we have the opportunity to recognize the accomplishments and contributions of a fabulous people. The Filipino American Community Council's KALAYAAN 2002 Picnic and Pistahan attests to the wealth of the culture we have developed here in Michigan. With food, music, cultural performances and dances, the spirit and enthusiasm of the Philippine American community of Southeastern Michigan is very strong. The Philippine American community truly adds to the wonderfully diverse American culture by sharing with us their customs, traditions and beliefs. They have been such an invaluable asset to our great state.

Mr. Speaker, I join the people of the Philippines, those of Filipino ancestry around the world and Filipino Americans in Michigan celebrating Independence Day. I salute all of them for the tremendous contributions to freedom and human dignity which they have made.

PAYING TRIBUTE TO GEORGE CURRIER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. McINNIS. Mr. Speaker, I rise today to pay tribute to a man who has spent the last six years in the dedicated service of his community of Collbran: George Currier. George is a great Coloradan who has given of himself countless times during his term on the Collbran Board of Trustees. His knowledge and love for the community, as well as his vision for the future, have made him an invaluable resource to the whole town.

George Currier was born and raised in his beloved Collbran. His family was in the ranch-

ing business during his childhood; and while they would leave town every winter to ranch their cows in the Appleton area, George and his family would return with the nice weather: Collbran is George's home.

During George's time on the Board of Trustees he has overseen numerous improvements to the community, including the construction of a new town hall. But more important than the physical development that has been undertaken during his watch, George values the many Collbran town employees with which he has worked closely during his six years of service. However, George's efforts to better his beloved hometown have not been limited to his service in town government: George, his wife Nancy and their three children remain active in the Collbran community.

Mr. Speaker, it is with pride that I bring to the attention of the body of Congress the accomplishments of a man whose love for his hometown, and whose desire to improve his community, is an inspiration to his friends and neighbors alike. A public servant in the truest sense of the phrase, George Currier's time on the Collbran Board of Trustees has been a fine example to all of us who serve our nation in elective office. With appreciation, I echo the praise George has received from his friends and neighbors in Collbran and salute him for his six fine years of service to his community.

HONORING UPS EMPLOYEE ALLEN "CHUCK" BITTNER

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. GARY MILLER of California. Mr. Speaker, Chuck Bittner started with UPS back in 1966 as a Package Car Driver delivering mail to the businesses and residents of the Inland Empire in Southern California. After 25 years of safe driving, drivers are inducted in UPS' Circle of Honor, which is the highest honor awarded to Package Car Drivers. Chuck not only achieved that illustrious accolade but was also recently honored for a staggering 30 years of safe driving by his Center Manager. With 30 years behind the wheel and not a single traffic mishap, Chuck has truly accomplished something special. The people of Southern California owe Chuck, and other delivery drivers like him a debt of gratitude for keeping our roads safe. Despite this impeccable driving record, Chuck says he will probably retire in the next year. He will certainly be missed as he and his truck have become a familiar and reassuring sight in the Southern California neighborhoods.

IN HONOR OF THE LIFE OF HARVEY LEGGETT, SR.

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. DINGELL. Mr. Speaker, I rise in honor of the life of an honorable, respected, and valuable member of the Ypsilanti community, Reverend Harvey Leggett, Sr. Rev. Leggett,

who passed away Monday, was a man of wisdom and a man of God, and served his community with distinction. He will be dearly missed.

Reverend Leggett guided the St. John's Missionary Baptist Church in Ypsilanti for 32 years. His style moved the members of the church. So commanding, in fact, was his delivery and presence that he was nicknamed "sergeant." He was not only masterful on the pulpit, but also was an accomplished writer and singer, who employed a good sense of humor.

"Sergeant" Leggett's dedicated service was not limited to Ypsilanti, but included serving in leadership positions in national African American Baptist conventions. In so doing, his work touched the lives of many across this great land, and his memory will be broadly remembered.

Rev. Leggett is survived by his wife of 42 years, Bernice, as well as sons Steve, Willie, and Harvey Jr., and daughter Angela. They are in the thoughts and prayers of many in the Ypsilanti community, and I would ask that they also be in ours. Mr. Speaker, I would ask my colleagues to join me in extending our condolences to the Leggett family, and to honor the life of a great man and community leader, Harvey Leggett Sr.

TRIBUTE TO MR. JAN NOWAK—
JEZIORANSKI

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to one of the most respected leaders of America's Polish community, Jan Nowak-Jezioranski. As he prepares to return to Poland, I would like to take this opportunity to bid him farewell and thank him for his decades of service in this country as a remarkable civil servant and defender of freedom and democracy.

Both the United States and Europe are greatly indebted to Mr. Nowak-Jezioranski. In World War II, he was an acclaimed "Courier from Warsaw" who served as a liaison between the Home Army in the occupied Polish territory and the Polish government in exile in London and representatives of the British government. In addition, he was a key witness that spoke out against the atrocities of the Nazi occupants in Central and Eastern Europe. Near the end of the Cold War, Jan Nowak-Jezioranski was the director of the Polish section of Radio Free Europe. In this capacity, he gave millions of his countrymen the strength and courage to not give up hope behind the Iron Curtain. As a U.S. Citizen, Jan Nowak-Jezioranski bolstered my colleagues and my efforts to contain the Soviet block. Due to his leadership, he was able to help opposition groups in Central and Eastern Europe flourish.

Jan Nowak-Jezioranski's vision helped Poland become one of our closest allies in Europe. Following the historic changes, he helped the American public realize the importance of supporting Poland's struggling democracy both economically and politically. Mr. Nowak-Jezioranski recognized the need to abolish the political, social and economic divi-

sions in Europe and therefore, he diligently supported NATO expansion. As a member of the Alliance, Poland has proven a creditable source during the Kosovo campaign and the war on terrorism.

Mr. Nowak-Jezioranski has been a long time supporter of the transatlantic community and promoter of democratic values. I believe that our nations will maintain their commitment to strengthening the transatlantic community and encouragement of democratic ideals. It is my hope that from across the Atlantic, Mr. Jan Nowak-Jezioranski will remain active in the public debate on issues that are key to our nations' futures. I ask my colleagues to join me in expressing immense gratitude for Mr. Jan Nowak-Jezioranski's numerous contributions to the cause of democracy and freedom,

SOCIAL SECURITY PROGRAM
PROTECTION ACT OF 2002

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2002

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of the Social Security Program and Protection Act. This legislation is a protective measure that would maintain the integrity of Social Security Programs.

H.R. 4070 would protect the nearly 7 million Social Security and SSI beneficiaries who cannot manage their own finances and have a "representative payee." This legislation prevents misuse of benefits by: (1) authorizing the reissuance of certain misused benefits, (2) disqualifying from serving as representatives payees fugitive felons and those who have been convicted and imprisoned more than a year, and (3) expanding civil monetary penalties to include representative payees misuse of benefits.

In addition, this legislation would also further protect Social Security by Clarifying that civil monetary penalties can be imposed for failure to notify SSA of changed circumstances that affect eligibility or benefit amount.

H.R. 4070 includes provisions that aim to support meaningful work opportunities for individuals with disabilities. The bill would ensure that employers who hire individuals with disabilities through referral by an employer network qualify for the Work Opportunity Tax Credit.

Now is the time to save Social Security. We must ensure the viability and integrity of Social Security for the sake of our nation's most deserving citizens. Half of all American workers do not have employer-provided retirement programs and must rely on Social Security and their own savings.

If we do not protect Social Security, there will be serious poverty among the elderly. Women are particularly vulnerable because they have lower income retirement than men and are likely to live in poverty. Couple this reality with the vulnerability of those recipients who cannot manage their own financial affairs and the need to safeguard social security becomes even more evident.

Mr. Speaker, I urge my Colleagues to support this legislation. Social Security is one of the most critical issues facing Congress today. This legislation recognizes the importance of

Social Security to the long-term economic stability of Americans.

ESTABLISHMENT OF MID-COLUMBIA
VETERANS MEMORIAL IN
THE DALLES, OREGON

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. WALDEN of Oregon. Mr. Speaker, I rise today to share with my colleagues the pride I feel as an American and as a native of The Dalles, Oregon in the establishment of the Mid-Columbia Veterans Memorial, which I will join the community leaders of The Dalles in dedicating on the 4th of July. On this hallowed day, as we observe the founding of the greatest nation in the history of mankind, it is fitting that we honor the patriots who have fought and died to keep it so.

This memorial was conceived by the citizens of The Dalles to pay tribute to the sons and daughters of Oregon's Mid-Columbia region who served our nation in times of war. Building on an existing memorial to local veterans of the Vietnam War, leaders of this community launched an effort to create a lasting monument to every veteran of the Mid-Columbia who has served the United States in uniform. Built from funds gathered from the State of Oregon, the federal government, local businesses and private citizens, the memorial we will unveil arose from the hearts of the men and women of the Mid-Columbia who remain forever grateful for the sacrifices that purchased the freedom they so deeply cherish. I am proud to have assisted in securing federal funds for this worthy project, just as I am proud to have hailed from a community whose ground has been so fertile in producing patriotic citizens.

Mr. Speaker, no memorial to our nation's veterans seeks to glorify armed conflict or celebrate the tragedy that war represents. Rather, they are erected to pay homage to the virtue that is found among men and women for whom the triumph of despotism and tyranny is more terrifying even than their own deaths.

Mr. Speaker, the philosopher John Stuart Mill once wrote, "War is an ugly thing, but not the ugliest of things. The decayed and degraded state of moral and patriotic feeling which thinks that nothing is worth war is much worse. A man who has nothing for which he is willing to fight, nothing he cares about more than his personal safety, is a miserable creature who has no chance of being free unless made and kept so by the exertions of better men than himself."

It is only by God's grace that our nation has been blessed with such men and women, whose exertions have safeguarded the freedom not only of this nation, but of much of the rest of the free world. Men like Charles R. Rubart of The Dalles, who was killed in action in 1899 while serving in the Philippines, far from the beauty of his native land. Men like Loren Kaufman, a son of The Dalles who received the Congressional Medal of Honor for gallantry in action during the Korean War. Men like Stan Adams, another Korean War veteran who also received our nation's highest award for leading the men under his command on a bayonet charge against an enemy force 10

times the size of his own unit. These are Oregonians whose exertions have earned them an eternal place in the pantheon of America's greatest heroes.

Mr. Speaker, in the years ahead, as generations not yet born pass by this site, they will see a memorial as sturdy and as enduring as the valor of the heroes it was erected to honor. And as they do so, they will be reminded of the sacrifices of the men and women whose glory is enshrined in this elegant and powerful memorial. To the community of The Dalles, Oregon, I offer my most sincere gratitude for the contribution they have made in recognizing the service of the veterans of the Mid-Columbia.

DEPARTMENT OF DEFENSE
APPROPRIATIONS ACT, 2003

HON. ROGER F. WICKER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. WICKER. Mr. Chairman, I rise in support of the chairman and the ranking member for producing this bipartisan legislation which will support our troops, modernize our military, and ensure that we are prepared to win the war on terrorism. I support this legislation, but feel it is appropriate that I discuss one unfunded issue that is vitally important to the future of our military. The President's Budget appropriately requests continued funding of the LHD-8 Amphibious Assault Ship. Unfortunately, this bill did not fund the requested \$243 million necessary to continue procurement of this ship.

Our Navy's LHA-1 class "Big Deck" Amphibious Assault Ships are at the end of their service life. Navy studies indicate a requirement for twelve Big Deck Amphibious Assault Ships and must procure replacements for the older ships to sustain this requirement. The past four fiscal years, Congress has recognized this need by providing over \$1 billion for advanced procurement, detail design, and construction of a new LHD-1 class ship. Congress authorized the Secretary of the Navy to enter into a contract for the construction and early delivery of this ship, the LHD-8, providing that it "shall be funded on an incremental basis."

The LHD-8 is being procured under a fixed price construction contract, entered into by the government and the shipbuilder in good faith based on the assumption that annual government funding increments would always stay ahead of the expenditure curve. This would allow the parties to plan and execute design and construction without concern for interference resulting from funding shortfalls. The loss of FY03 funding would violate the precepts of good faith contracting, which is essential for many defense procurement programs.

Mr. Chairman, failure to appropriate the \$243 million requested by the President would cause several negative repercussions, including severe economic impacts in my state of Mississippi. The potential for the Navy to issue a "stop-work" order on this project due to funding uncertainty could cause a job loss in the shipbuilding industry alone of over 1,500 jobs. If funding were delayed even one year, delivery of this military asset would be pushed

back from FY07 to FY08, causing an additional cost to the taxpayers of approximately \$129 million.

It is my hope that throughout the consideration of the bill, the Chairman and Committee can provide the resources necessary to keep this project on the contracted schedule.

HONORING RUBEN VALDEZ

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Mr. UDALL of Colorado. Mr. Speaker, I rise today to honor Ruben Valdez for his leadership and service to Colorado.

Cesar Chavez once said, "We cannot seek achievement for ourselves and forget about progress and prosperity for our community. Our ambitions must be broad enough to include the aspirations and needs of others, for their sake and our own." Even a cursory glance at Ruben Valdez's life illuminates why he has been named to the Cesar Chavez Leadership Hall of Fame. The hall of fame recognizes Colorado Latinos for their outstanding contributions to civic life. Ruben's contributions to Colorado, the Hispanic community and public life have been extraordinary.

Ruben was elected to the Colorado House of Representatives in 1971. A few short years later he was elected Speaker of the House making him the first Hispanic to ever serve in that position. After retiring from the House in 1978, President Jimmy Carter appointed him to be the Regional Director for the United States Department of Transportation. The following year, he was selected by Colorado Governor Dick Lamm to serve as Executive Director of the Colorado Department of Social Services. In 1985, Ruben accepted an unprecedented dual appointment by Governor Lamm to be Executive Director for both the Colorado Department of Social Services and the Colorado Department of Labor and Employment.

At the end of this extraordinary period in his public life, Ruben was perhaps the most successful Latino leader in Colorado history. For many young Latinos interested in politics and government at the time (some on whom now serve on my staff) Ruben Valdez was a pioneer—living proof that having a Spanish surname did not disqualify a person from having a successful career in public service.

Cesar Chavez was a leader who organized the Hispanic community from "outside" the halls of power in government. Ruben showed that another leadership model was available to Hispanics. Ruben showed that Hispanics could also work from inside the corridors of power, not only in the halls of government, but in corporate boardrooms. I think Cesar Chavez would have been pleased by Ruben's success, particularly because it paved the way for so many other talented Hispanic leaders to come.

Today Ruben Valdez is a very successful consultant helping clients at every level of government. He was a well-known figure in the halls of the Colorado State Legislature when I served there, and I came to admire him for his reputation as a respected lobbyist.

Ruben Valdez is a thoughtful and experienced leader. Those who know him will tell you that he is the kind of man you want on

your side in a difficult battle. His service to Colorado has been exceptional, and I am pleased to ask my colleagues to join me in honoring his achievements.

A SALUTE TO JOE CRISCUOLO FOR
HIS LEGACY OF SERVICE

HON. CYNTHIA A. MCKINNEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 2002

Ms. MCKINNEY. Mr. Speaker, I rise today to salute the outstanding record of public service of Joe Criscuolo, a noted social activist of the Atlanta area community and personal friend. Our community is deeply saddened by his unfortunate and recent demise.

A man of humble beginnings, Joe Criscuolo, 84, grew up in New York during the Great Depression as a first generation Italian-American. The hardships endured by the Criscuolo family generated Joe's great sense of concern and sensitivity for issues of the working class. Mr. Criscuolo's youthful concerns would later evolve into a grand scale record of service and activism on behalf of marginalized groups spanning the course of his lifetime.

Joe's high level of involvement in reform movements was matched by his wife Mrs. Goldy Criscuolo's equal zeal and service for progressive causes. Well into their senior years when most of their peers were enjoying retirement and the fruits of years of labor, they stood firmly together against the grain. Whenever people were oppressed, Joe and Goldy Criscuolo supplied infinite hours of service with no regard for gender, race, sexual orientation, religion, or any other social characteristic. Louder than any vitriolic words or opposing groups, Joe's actions spoke volumes to the value of service. I have personally drawn strength and inspiration to wage unpopular fights from Mr. Criscuolo's unwavering altruism for people in need.

A few of Mr. Criscuolo's momentous battles were the campaign to reform the Italian education system, the fight for the Equal Rights Amendment, and the movement against discrimination based on sexual orientation in the Dade County School System.

Additionally, Joe Criscuolo and his wife were active members of the Atlanta Chapter of the National Organization for Women (NOW); the Martin Luther King, Jr. March Committee; the Grady Coalition; the Atlanta chapter of ACT-UP (the AIDS Coalition to Unleash Power); and the coalition to change the state flag among others. Joe recently worked to support Hate Crimes legislation, to prohibit predatory lending, and to ensure affordable public transportation for poor and working people.

Mr. Criscuolo leaves to cherish his memory a devoted wife Mrs. Goldy Criscuolo; one son, Jim M. Criscuolo; a daughter-in-law, Candace Criscuolo; three grandchildren; two siblings; and a host of relatives, friends and other individuals whose lives have been touched in a positive way.

Mr. Speaker, I rise today to honor Mr. Joe Criscuolo's exemplary record of service, which is a model for us all. I ask my colleagues to join me in saluting Joe Criscuolo for his endurance, passion and will to go against the grain.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6297–S6325

Measures Introduced: Nine bills and four resolutions were introduced, as follows: S. 2700–2708, S. Res. 296–298, and S. Con. Res. 127. **Pages S6318–19**

Measures Reported:

S. 2119, to amend the Internal Revenue Code of 1986 to provide for the tax treatment of inverted corporate entities and of transactions with such entities, with an amendment in the nature of a substitute. (S. Rept. No. 107–188)

S. 2498, to amend the Internal Revenue Code of 1986 to require adequate disclosure of transactions which have a potential for tax avoidance or evasion, with an amendment in the nature of a substitute. (S. Rept. No. 107–189)

S. 454, to provide permanent funding for the Bureau of Land Management Payment in Lieu of Taxes program and for other purposes. (S. Rept. No. 107–190)

S. 691, to direct the Secretary of Agriculture to convey certain land in the Lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in trust for the Washoe Indian Tribe of Nevada and California. (S. Rept. No. 107–191)

S. 1010, to extend the deadline for commencement of construction of a hydroelectric project in the State of North Carolina. (S. Rept. No. 107–192)

S. 1649, to amend the Omnibus Parks and Public Lands Management Act of 1996 to increase the authorization of appropriations for the Vancouver National Historic Reserve and for the preservation of Vancouver Barracks, with amendments. (S. Rept. No. 107–193)

S. 1843, to extend hydro-electric licenses in the State of Alaska. (S. Rept. No. 107–194)

S. 1852, to extend the deadline for commencement of construction of a hydroelectric project in the State of Wyoming. (S. Rept. No. 107–195)

S. 1894, to direct the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle site in the

State of Florida as well as the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park, with an amendment. (S. Rept. No. 107–196)

S. 1907, to direct the Secretary of the Interior to convey certain land to the city of Haines, Oregon, with an amendment. (S. Rept. No. 107–197)

H.R. 223, to amend the Clear Creek County, Colorado, Public Lands Transfer Act of 1993 to provide additional time for Clear Creek County to dispose of certain lands transferred to the county under the Act. (S. Rept. No. 107–198)

H.R. 1456, to expand the boundary of the Booker T. Washington National Monument. (S. Rept. No. 107–199)

H.R. 1576, to designate the James Peak Wilderness and Protection Area in the Arapaho and Roosevelt National Forests in the State of Colorado. (S. Rept. No. 107–200)

S. 2708, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2003. (S. Rept. No. 107–201)

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Appointment:

American Folklife Center of the Library of Congress: The Chair, on behalf of the President pro tempore, pursuant to Public Law 94–201, as amended by Public Law 105–275, appointed the following individuals as members of the Board of Trustees of the American Folklife Center of the Library of Congress: Susan Barksdale Howorth of Mississippi, for a term of six years; and Marlene Meyerson of Texas, for a term of six years.

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Nominations Discharged and Placed on Calendar: Senate discharged from committee and placed on the Executive Calendar, the following nominations:

From the Committee on Environment and Public Works: Jeffrey S. Merrifield, of New Hampshire, to be a Member of the Nuclear Regulatory Commission.

From the Committee on Agriculture, Nutrition, and Forestry: Fred L. Dailey, of Ohio, to be a Member of

the Board of Directors of the Federal Agricultural Mortgage Corporation;

Grace Trujillo Daniel, of California, to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation;

Sharon Brown-Hruska, of Virginia, to be a Commissioner of the Commodity Futures Trading Commission;

Walter Lukken, of Indiana, to be a Commissioner of the Commodity Futures Trading Commission; and

Douglas L. Flory, of Virginia, to be a Member of the Farm Credit Administration Board, Farm Credit Administration. **Page S6318**

Nominations Discharged and Referred: Senate discharged the following nomination from the Committee on Agriculture, Nutrition, and Forestry and was then referred to the Committee on Governmental Affairs:

Phyllis K. Fong, of Maryland, to be Inspector General, Department of Agriculture. **Page S6323**

Nominations Received: Senate received the following nominations:

Richard Allan Roth, of Michigan, to be Ambassador to the Republic of Senegal, and to serve concurrently and without additional compensation as Ambassador to the Republic of Guinea-Bissau.

Peter Eide, of Maryland, to be General Counsel of the Federal Labor Relations Authority for a term of five years.

Routine lists in the Air Force, Navy. **Page S6324**

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Francis L. Cramer III, of New Hampshire, to be a Judge of the United States Tax Court for a term expiring fifteen years after he takes office, which was sent to the Senate on November 28, 2001.

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Messages From the House: **Pages S6317–18**

Measures Referred: **Page S6318**

Measures Read First Time: **Page S6323**

Enrolled Bills Presented: **Page S6318**

Additional Cosponsors: **Pages S6319–20**

Statements on Introduced Bills/Resolutions:
Pages S6320–22

Additional Statements: **Pages S6314–17**

Authority for Committees to Meet: **Page S6323**

Adjournment: Senate met at 9:31 a.m., and pursuant to the provisions of S. Con. Res. 125, adjourned at 1:49 p.m., until 2 p.m., on Monday, July 8, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6324).

Committee Meetings

(Committees not listed did not meet)

WEAPONS OF MASS DESTRUCTION

Committee on Governmental Affairs: Committee concluded hearings to examine how the proposed Department of Homeland Security should address the threat of weapons of mass destruction, launching, managing, and sustaining an ambitious science and technology research program for new countermeasures, and relevant science and technology, research and development, and public health issues, after receiving testimony from Janet Heinrich, Director, Health Care-Public Health Issues, General Accounting Office; William J. Madia, Director, Oak Ridge National Laboratory, Department of Energy; Lewis M. Branscomb, Harvard University John F. Kennedy School of Government, Cambridge, Massachusetts, on behalf of the National Research Council Committee on Science and Technology for Countering Terrorism; Margaret A. Hamburg, Nuclear Threat Initiative, Washington, D.C., former Assistant Secretary of Health and Human Services for Planning and Evaluation; and J. Leighton Read, Alloy Ventures, Palo Alto, California.

INSTRUCTIONAL MATERIALS

Committee on Health, Education, Labor, and Pensions: Committee concluded 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, after receiving testimony from Patricia Schroeder, Association of American Publishers, Washington, D.C.; Marc Maurer, National Federation of the Blind, Baltimore, Maryland; Barbara N. McCarthy, Department for the Blind and Vision Impaired, Richmond, Virginia, on behalf of the Association of Instructional Resource Centers for the Visually Impaired; and Jesse Kirchner, Guilford, Connecticut.

House of Representatives

Chamber Action

The House was not in session today. Pursuant to the provisions of S. Con. Res. 125, providing for a conditional recess or adjournment of the Senate and a conditional adjournment of the House of Rep-

resentatives, it stands adjourned until 2 p.m. on Monday, July 8, 2002.

Committee Meetings

There were no committee meetings held today.

Next Meeting of the SENATE

2 p.m., Monday, July 8

Senate Chamber

Program for Monday: Senate will consider S. 2673, to improve quality and transparency in financial reporting and independent audits and accounting services for public companies, to create a Public Company Accounting Oversight Board, to enhance the standard setting process for accounting practices, to strengthen the independence of firms that audit public companies, to increase corporate responsibility and the usefulness of corporate financial disclosure, to protect the objectivity and independence of securities analysts, to improve Securities and Exchange Commission resources and oversight.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Monday, July 8

House Chamber

Program for Monday: To be announced.

Extensions of Remarks, as inserted in this issue

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Congressional Record

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