It is running? No. Is it even close to running? No.

In fact, the Department of Agriculture tells me that their anticipated startup date is still another six months away. Meanwhile, the $90 million that Congress set aside for this program in fiscal year 2003 has no way of reaching its intended beneficiaries. This is simply unacceptable.

Senators GRASSLEY and CONRAD recently joined me in a letter making this very point to secretary Veneman. We told her then—and I repeat it now—that we hold her personally accountable for dropping the ball on TAA for Farmers. Frankly, I expected better.

The Trade Act of 2002 renewed the President's trade promotion authority after a lapse of 8 years. In exchange for Congress', and the Nation's, renewed commitment to trade liberalization, the President agreed to expand the trade adjustment assistance program to better meet the needs of those who might be negatively impacted by trade.

A critical part of the President's commitment was the creation of a trade adjustment assistance program for farmers, ranchers, and other agricultural producers.

We all know that opening foreign markets to American agricultural products can provide great advantages to U.S. farmers and ranchers. Already, nearly one-fifth of Montana's agricultural production is exported. For Montana wheat, a full two-thirds is exported. And opening foreign markets is the best way to create new opportunities for our farmers and ranchers.

This is one reason I have always been a strong supporter of trade liberalization and an equally strong advocate for a level playing field for our farmers in world markets.

But trade liberalization can have a downside as well. It can leave our farmers and ranchers more vulnerable to sudden import surges, devastating commodity price swings, and other countries' unfair trading practices. That is why they need this TAA program.

The Department of Labor's TAA program for workers has nominally covered family farmers, ranchers, and fishermen all along. But hardly any have participated. They usually can't qualify because they don't become unemployed in the traditional sense.

After decades of trying without success to squeeze farmers into eligibility rules designed for manufacturing workers, it was time to try something new, something that would help farmers adjust to import competition before they lost their farms.

What the Trade Act does is create a TAA program tailored to the needs of farmers, ranchers, and fishermen. Basically, the program creates a new trigger for eligibility. Instead of having to show a layoff, the farmer, rancher, or fisherman has to show commodity price declines related to imports.

The trigger is different, but the program serves the same purpose as all our trade adjustment programs. It assists the farmer, rancher, or fisherman to adjust to import competition, to retrain, to obtain technical assistance, and to have access to income support to tide them over during the process. And the income support is capped to make sure that the program is not being abused.

So last summer the President made a commitment—to the Congress and to the American agricultural community—to make this program a reality. I think it is fair to say that this was one of just a few key elements that got the President those critical few votes he needed to pass TPA in the House and the pass it with a strong bipartisan vote in the Senate.

And now I say to the President, and to Secretary Veneman: the farmers and ranchers of Montana—and indeed throughout America—continue to wait for your administration to fulfill this commitment.

I hope this will happen sooner, rather than later.

Indeed, there is absolutely no excuse for a 6-month delay in getting this program off the ground. There certainly wasn't a 6-month delay in launching negotiations for four new free-trade agreements under TPA. There shouldn't be a delay here either.

My staff and I stand ready to assist in any way we can to kick start this process. But Secretary Veneman needs to do the heavy lifting here. And that is my challenge to her today.

BLACK HISTORY MONTH

Mr. SMITH. Mr. President, each year I come to the floor during the month of February to celebrate Black History Month and to discuss many of the contributions made by Black Americans to my home State of Oregon. Today, at the beginning of this year's celebration of Black History Month, I would like to begin another series of floor statements with a short discussion of a significant event in Oregon's history, the Vanport flood.

In 1929, Dr. DeNorval Unthank moved to Portland, OR from Pennsylvania, becoming one of the city's first black physicians. When he moved into a segregated, nearly all-White neighborhood, he and his family were greeted by rocks thrown through the windows of his home. When he replaced those windows, more rocks were thrown. Phone calls threatening his family were also common. Ultimately, Dr. Unthank was forced to move to another part of town.

The city of Portland was highly segregated in its early history, and, although experiences like Dr. Unthank's were not uncommon, there were very few Black Portlanders. World War II changed all that. Between 1941 and 1943, the African-American population in Portland increased tenfold, from roughly 2,000 to over 20,000. People came from all over the country to work in Portland's shipyards, and to accommodate this influx of labor, the city of Vanport—a combination of the names Vancouver and Portland—was built. At the time, it was the largest public housing project in the Nation, and it became home to thousands of Black Oregonians.

Due to the housing shortage in Portland after the war, the temporary housing at Vanport was allowed to linger on long past its original intended purpose. Restrictive policies of the local real estate industry, as well the hostility to be found in Portland's White neighborhoods, kept Black residents largely confined to Vanport. On Memorial Day 1948, the Columbia River overflowed its banks and washed away Vanport City, leaving behind a large lake and thousands of homeless people. White residents of Vanport could be fairly easily absorbed into the larger fabric of the White community with minimal disruption; however, the response to the plight of Vanport's Black residents presented a dramatic challenge to the previous patterns of racial thought and action in the city.

According to Dr. Darrell Millner, professor at Portland State University, Portland generally rose to meet the challenge of the flood in a display of admirable humanitarianism. While some distinctions related to color were made in the aftermath of the disaster, other new interracial dynamics emerged from the event that, in the long term, helped change the course of Portland race relations.

H.J. Belton Hamilton, a former chair of the Urban League of Portland's board, recalls, ''A lot of people got to know each other then.'' Many White families took displaced Vanport Blacks into their homes after the flood, and the old artificial boundaries of the African-American community were stretched to accommodate the relocation of residents. ''The Vanport flood had a major impact on Portland,'' said Bobbie Nunn, and early activist in the NAACP and Urban League. The city of Portland had to accommodate its Black citizens, and the movement for positive racial change was on the rise.

We can see the changes in Portland by looking back again on the life of Dr. Unthank. Not only did Dr. Unthank cofound the Urban League of Portland, but by 1958, the Oregon State Medical Society named him Doctor of the Year. Four years later, he was named Citizen of the Year by the Portland Chapter of the National Conference of Christians and Jews. In 1969, DeNorval Unthank Park was dedicated in Portland. Forty years before, rocks had been thrown through the windows of his Portland home.

Portland and the entire State of Oregon went through as many changes in the middle part of the 20th century as did most other parts of our country. In the case of Portland, it was a major catastrophe, the Vanport flood, that served as one of the major catalysts for positive change. During Black History Month, I think it is important that we remember the people and events, like

Dr. Unthank and the Vanport flood, that helped shape the history of Oregon. I will come back to the floor each week this month to talk more about why Black History Month is important to Oregonians.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. In the last Congress, Senator KENNEDY and I introduced the Local Law Enforcement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred April 26, 2001, in Los Angeles, CA. A college student assaulted a police officer outside a fraternity. The student, Adam Guerrero, 23, threw objects and shouted racial slurs at a Black traffic officer who was standing outside the fraternity house. The student was charged with counts of committing a hate crime, battery on a peace officer, and assault on a peace officer.

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 is 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.

RULES OF THE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SHELBY. Mr. President, in accordance with Rule XXVI.2. of the Standing Rules of the Senate, I ask unanimous consent to have printed in the RECORD the rules of the Committee on Banking, Housing, and Urban Affairs, as unanimously adopted by the committee on January 30, 2003.

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

RULES OF PROCEDURE FOR THE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

[Adopted in executive session, January 30, 2003]

RULE 1. REGULAR MEETING DATE FOR COMMITTEE

The regular meeting day for the Committee to transact its business shall be the last Tuesday in each month that the Senate is in Session; except that if the Committee has met at any time during the month prior to the last Tuesday of the month, the regular meeting of the Committee may be canceled at the discretion of the Chairman.

RULE 2. COMMITTEE

[a] Investigations. No investigation shall be initiated by the Committee unless the Senate, or the full Committee, or the Chairman and Ranking Member have specifically authorized such investigation.

[b] Hearings. No hearing of the Committee shall be scheduled outside the District of Columbia except by agreement between the Chairman of the Committee and the Ranking Member of the Committee or by a majority vote of the Committee.

[c] Confidential testimony. No confidential testimony taken or confidential material presented at an executive session of the Committee or any report of the proceedings of such executive session shall be made public either in whole or in part or by way of summary, unless specifically authorized by the Chairman of the Committee and the Ranking Member of the Committee or by a majority vote of the Committee.

[d] Interrogation of witnesses. Committee interrogation of a witness shall be conducted only by members of the Committee or such professional staff as is authorized by the Chairman or the Ranking Member of the Committee.

[e] Prior notice of markup sessions. No session of the Committee or a Subcommittee for marking up any measure shall be held unless [1] each member of the Committee or the Subcommittee, as the case may be, has been notified in writing of the date, time, and place of such session and has been furnished a copy of the measure to be considered at least 3 business days prior to the commencement of such session, or [2] the Chairman of the Committee or Subcommittee determines that exigent circumstances exist requiring that the session be held sooner.

[f] Prior notice of first degree amendments. It shall not be in order for the Committee or a Subcommittee to consider any amendment in the first degree proposed to any measure under consideration by the Committee or Subcommittee unless fifty written copies of such amendment have been delivered to the office of the Committee at least 2 business days prior to the meeting. It shall be in order, without prior notice, for a Senator to offer a motion to strike a single section of any measure under consideration. Such a motion to strike a section of the measure under consideration by the Committee or Subcommittee shall not be amendable. This section may be waived by a majority of the members of the Committee or Subcommittee voting, or by agreement of the Chairman and Ranking Member. This subsection shall apply only when the conditions of subsection [e][1] have been met.

[g] Cordon rule. Whenever a bill or joint resolution repealing or amending any statute or part thereof shall be before the Committee or Subcommittee, from initial consideration in hearings through final consideration, the Clerk shall place before each member of the Committee or Subcommittee a print of the statute or the part or section thereof to be amended or repealed showing by stricken-through type, the part or parts to be omitted, and in italics, the matter proposed to be added. In addition, whenever a member of the Committee or Subcommittee offers an amendment to a bill or joint resolution under consideration, those amendments shall be presented to the Committee or Subcommittee in a like form, showing by typographical devices the effect of the proposed amendment on existing law. The requirements of this subsection may be waived when, in the opinion of the Committee or Subcommittee Chairman, it is necessary to expedite the business of the Committee or Subcommittee.

RULE 3. SUBCOMMITTEES

[a] Authorization for. A Subcommittee of the Committee may be authorized only by the action of a majority of the Committee.

[b] Membership. No member may be a member of more than three Subcommittees and no member may chair more than one Subcommittee. No member will receive assignment to a second Subcommittee until, in order of seniority, all members of the Committee have chosen assignments to one Subcommittee, and no member shall receive assignment to a third Subcommittee until, in order of seniority, all members have chosen assignments to two Subcommittees.

[c] Investigations. No investigation shall be initiated by a Subcommittee unless the Senate or the full Committee has specifically authorized such investigation.

[d] Hearings. No hearing of a Subcommittee shall be scheduled outside the District of Columbia without prior consultation with the Chairman and then only by agreement between the Chairman of the Subcommittee and the Ranking Member of the Subcommittee or by a majority vote of the Subcommittee.

[e] Confidential testimony. No confidential testimony taken or confidential material presented at an executive session of the Subcommittee or any report of the proceedings of such executive session shall be made public, either in whole or in part or by way of summary, unless specifically authorized by the Chairman of the Subcommittee and the Ranking Member of the Subcommittee, or by a majority vote of the Subcommittee.

[f] Interrogation of witnesses. Subcommittee interrogation of a witness shall be conducted only by members of the Subcommittee or such professional staff as is authorized by the Chairman or the Ranking Member of the Subcommittee.

[g] Special meetings. If at least three members of a Subcommittee desire that a special meeting of the Subcommittee be called by the Chairman of the Subcommittee, those members may file in the offices of the Committee their written request to the Chairman of the Subcommittee for that special meeting. Immediately upon the filing of the request, the Clerk of the Committee shall notify the Chairman of the Subcommittee of the filing of the request. If, within 3 calendar days after the filing of the request, the Chairman of the Subcommittee does not call the requested special meeting, to be held within 7 calendar days after the filing of the request, a majority of the members of the Subcommittee may file in the offices of the Committee their written notice that a special meeting of the Subcommittee will be held, specifying the date and hour of that special meeting. The Subcommittee shall meet on that date and hour. Immediately upon the filing of the notice, the Clerk of the Committee shall notify all members of the Subcommittee that such special meeting will be held and inform them of its date and hour. If the Chairman of the Subcommittee is not present at any regular or special meeting of the Subcommittee, the Ranking Member of the majority party on the Subcommittee who is present shall preside at that meeting.

[h] Voting. No measure or matter shall be recommended from a Subcommittee to the Committee unless a majority of the Subcommittee are actually present. The vote of the Subcommittee to recommend a measure or matter to the Committee shall require the concurrence of a majority of the members of the Subcommittee voting. On Subcommittee matters other than a vote to recommend a measure or matter to the Committee no record vote shall be taken unless a majority of the Subcommittee is actually present. Any absent member of a Subcommittee may affirmatively request that his or her vote to recommend a measure or matter to the Committee or his vote on any such other matters on which a record vote is taken, be cast by proxy. The proxy shall be in writing and shall be sufficiently clear to identify the subject matter and to inform the Subcommittee as to how the member wishes his