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No. 93

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 23, 2003.

I hereby appoint the Honorable ROB BISHOP to act as Speaker pro tempore on this day.

J. DENNIS HASTERT

Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

RECESS

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

Accordingly (at 12 o'clock and 33 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

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

PRAYER

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

Lord God of covenant love, your servant Joshua said to the people: "Sanctify yourselves, for tomorrow the Lord will perform wonders among you."

In a Nation You have chosen to dwell, Your people look for signs of Your love and blessing.

But before we can see in ordinary events wonders of Your own making, we must embrace discipline and be purified; for only those clean of heart shall see God.

May the Members of Congress, believing in Your presence in their midst, prove to be leaders of the American people.

Purify their intent to serve You by providing what is best for Your people.

May this Nation be obedient to Your ordinances and thereby increase its expectations.

Lead us to see wondrous deeds accomplished in our own day, and come to know more deeply Your goodness so we proclaim You alone are the one true God now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Wisconsin (Mr. GREEN) come forward and lead the House in the Pledge of Allegiance.

Mr. GREEN of Wisconsin 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.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill and a Concurrent Resolution of the House of the following titles:

H.R. 2312. An act to amend the Communications Satellite of 1962 to provide for the orderly dilution of the ownership interest in Inmarsat by former signatories to the Inmarsat Operating Agreement.

H. Con. Res. 139. Concurrent resolution authorizing printing of the brochures entitled "How Our Laws Are Made" and "Our American Government", the publication entitled "Our Flag", the document-sized, annotated version of the United States Constitution, and the pocket version of the United States Constitution.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 504. An act to establish academies for teachers and students of American history and civics and a national alliance of teachers of American history and civics, and for other purposes.

S. 686. An act to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 20, 2003.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 20, 2003 at 10:25 a.m.:

That the Senate agreed to conference report S. 342.

That the Senate passed without amendment H.R. 658.

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

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



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H5667

With best wishes, I am
Sincerely,

MARTHA C. MORRISON
Deputy Clerk.

COMMUNICATION FROM THE
CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 20, 2003.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives,
Washington, DC

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit sealed envelopes received from the White House on June 20, 2003, at 1:45 p.m. and said to contain messages from the President whereby he submits a copy of a notice filed earlier with the *Federal Register* continuing the emergency with respect to the Western Balkans first declared in Executive Order 13219 of June 26, 2001, and where by he submits a 6-month periodic report in accordance with 50 USC 1641 (c) and 50 USC 1703 (c) on the national emergency with respect to the Western Balkans.

With best wishes, I am
Sincerely,

MARTHA C. MORRISON,
Deputy Clerk.

SIX-MONTH REPORT ON NATIONAL
EMERGENCY WITH RESPECT TO
WESTERN BALKANS—MESSAGE
FROM THE PRESIDENT OF THE
UNITED STATES (H. DOC. NO. 108-
86)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Consistent with section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month report prepared by my Administration on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001.

GEORGE W. BUSH,
THE WHITE HOUSE, June 20, 2003.

CONTINUATION OF NATIONAL
EMERGENCY WITH RESPECT TO
WESTERN BALKANS—MESSAGE
FROM THE PRESIDENT OF THE
UNITED STATES (H. DOC. NO. 108-
87)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee

on International Relations and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provision, I have sent the enclosed notice, stating that the Western Balkans emergency is to continue in effect beyond June 26, 2003, to the *Federal Register* for publication. The most recent notice continuing this emergency was published in the *Federal Register* on June 25, 2002, 67 Fed. Reg. 42703.

The crisis constituted by the actions of persons engaged in, or assisting, sponsoring, or supporting, (i) extremist violence in the former Yugoslav Republic of Macedonia, and elsewhere in the Western Balkans region, or (ii) acts obstructing implementation of the Dayton Accords in Bosnia or United Nations Security Council Resolution 1244 of June 10, 1999, in Kosovo, that led to the declaration of a national emergency on June 26, 2001, has not been resolved. Subsequent to the declaration of the national emergency, acts obstructing implementation of the Ohrid Framework Agreement of 2001 in the former Yugoslav Republic of Macedonia, have also become a concern. All of these actions are hostile to U.S. interests and pose a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to the Western Balkans and maintain in force the comprehensive sanctions to respond to this threat.

GEORGE W. BUSH,
THE WHITE HOUSE, June 20, 2003.

PRIVILEGED REPORT REQUESTING
PRESIDENT TO TRANSMIT TO
HOUSE DOCUMENTS RELATING
TO IRAQ'S WEAPONS OF MASS
DESTRUCTION

Mr. GREEN of Wisconsin, from the Committee on International Relations, submitted a privileged report (Rept. No. 168) on the resolution (H. Res. 260) requesting the President to transmit to the House of Representatives documents or other materials in the President's possession relating to Iraq's weapons of mass destruction, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, the Chair will postpone further proceedings today on

motions to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

EXPRESSING SYMPATHY FOR VIC-
TIMS OF ALGERIAN EARTH-
QUAKE

Mr. GREEN of Wisconsin. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 264) expressing sympathy for the victims of the devastating earthquake that struck Algeria on May 21, 2003.

The Clerk read as follows:

H. RES. 264

Whereas, on the evening of May 21, 2003, a devastating and deadly earthquake of a magnitude of 6.8 on the Richter scale with a depth of 6 miles struck northern Algeria, killing more than 2,260 people, injuring more than 10,000, and leaving more than 200,000 homeless;

Whereas the earthquake of May 21, 2003, has left thousands of buildings in ruins and has severely disrupted health services, water supply lines, electricity, and telecommunications in Algeria and affected cities;

Whereas severe aftershocks with magnitudes greater than 4.0 have continued to terrify the people of Algeria and hamper rescue efforts;

Whereas the strength, courage, and determination of the Government and people of Algeria has been displayed since the earthquake;

Whereas the people of the United States and Algeria share strong friendship and mutual respect;

Whereas the United States airlifted to the earthquake-affected population 17,000 blankets, 1800 tents, electrical equipment, water purification kits, and 3 medical supply kits that will benefit 10,000 people over 3 months;

Whereas the United States has released \$50,000 to the Algerian Red Crescent Society for emergency relief supplies; and

Whereas the United Nations Children's Fund (UNICEF) launched an emergency appeal for humanitarian and relief assistance to address the devastation caused by the powerful earthquake: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses its deepest sympathies to the people of Algeria and particularly to the families of the victims and the survivors for the tragic losses suffered as a result of the earthquake of May 21, 2003;

(2) expresses its support for the people and to the Government of Algeria as they continue their efforts to rebuild their cities and their lives;

(3) expresses support for humanitarian assistance provided by the United States Agency for International Development and other American and international relief organizations;

(4) recognizes the important role that is being played by the United States and the international community in providing assistance to alleviate the suffering of the people of Algeria; and

(5) encourages a continued commitment by the United States and other countries and international organizations to the rebuilding of the earthquake-affected areas in Algeria.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Wisconsin (Mr. GREEN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. GREEN).

GENERAL LEAVE

Mr. GREEN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 264.

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

There was no objection.

Mr. GREEN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank the gentleman from California (Mr. LANTOS) for bringing H. Res. 264, expressing sympathy for the victims of the devastating earthquake that struck Algeria on May 21, 2003, before us today.

As many of you know, on May 21, an earthquake registering 6.8 on the Richter scale struck northern Algeria, 45 miles east of the capital of Algiers. This was followed with a series of aftershocks, five with magnitudes greater than 5.0, and at least 19 with magnitudes ranging between 4.0 and 4.9. These were the worst quakes to strike Algeria since 1980.

The impact was devastating. 2,268 Algerians were killed, making this deadlier than all of the other earthquakes in the world over the past 2 years combined, including the 2002 earthquake in Afghanistan which killed 1,000.

Thousands of buildings have been destroyed, and health services, water supplies, electricity and telecommunications have been severely disrupted. Confidence in the government has also been shaken as press reports link the high death toll with poor building construction and mismanagement of the housing sector.

The international response to this disaster has been vigorous. The U.S. contribution to the relief effort is currently valued at \$1.6 million, including \$827,107 in grants and relief supplies from the U.S. Agency for International Development Office of Foreign Disaster Assistance; \$424,000 in relief supplies from the Department of Defense/Defense Security Cooperation Agency; and \$368,000 in relief supplies from the Department of Defense/U.S. European Command. For other donors, the United Nations Office for Coordination of Humanitarian Affairs and the International Federation of the Red Cross and Red Crescent Societies are taking the lead.

Through this robust response, major catastrophes have been diverted, including cholera outbreaks. However, there is still a long way to go on the path towards recovery. Thousands of homes need to be rebuilt, and structures able to withstand earthquakes will need to be erected.

The great American educator, Catherine Beecher, said, "The delicate and

infirm go for sympathy, not to the well and buoyant, but to those who have suffered like themselves." Unfortunately, we Americans are no strangers to tragedy and loss.

Mr. Speaker, the people of Algeria and their government stood with us after our own tragedy of September 11, 2001. They have been stalwart allies in our war on terrorism, and now it is our turn to aid our friends in a time of great need. It is with this in mind that we now express our solidarity with and our sympathy for those who have suffered in Algeria.

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

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

Mr. Speaker, I rise in strong support of this resolution, which I had the privilege of writing.

Mr. Speaker, I want to express at the outset my appreciation to my able assistant, Robin Roizman, for working on this resolution.

Mr. Speaker, I want to express my thanks to my colleagues, the gentleman from Wisconsin (Mr. GREEN); the distinguished chairman of our committee, the gentleman from Illinois (Mr. HYDE); the gentleman from Indiana (Mr. PENCE); and the gentleman from Pennsylvania (Mr. PITTS), for joining me in introducing this important resolution.

Mr. Speaker, H. Res. 264 expresses the deepest sympathy of the American people and of this Congress for the victims of the devastating earthquake that struck Algeria on May 21, 2003. This was the most tragic earthquake to hit that country in almost a quarter century. With a Richter scale reading of 6.8, the earthquake devastated the country, severely disrupted its health services, water supply, electricity and telecommunications.

The earthquake and its aftershocks have killed over 2,000 innocent people of Algeria, injured over 10,000, and left over 200,000 Algerian citizens homeless.

We immediately responded to this disaster by providing emergency humanitarian supplies. My resolution encourages our administration to continue providing assistance to the people of Algeria in this very difficult time.

The resolution expresses our sympathy for the Algerian people and calls on our administration to monitor conditions there and to continue providing all necessary assistance to the government and people of Algeria.

I want to note, Mr. Speaker, that we have in the gallery the distinguished Ambassador from Algeria, and I want to express to him personally our deep support and commitment to help in these difficult days for his country.

□ 1415

I urge all of my colleagues to support H. Res. 264.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ADERHOLT). All Members are reminded

not to introduce or refer to people in the balcony.

Mr. GREEN of Wisconsin. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. GREEN) that the House suspend the rules and agree to the resolution, H. Res. 264.

The question was taken.

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

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

The yeas and nays were ordered.

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

COMMENDING PEOPLE OF THE REPUBLIC OF KENYA FOR CONDUCTING FREE AND FAIR ELECTIONS AND PEACEFUL AND ORDERLY TRANSFER OF POWER

Mr. GREEN of Wisconsin. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 177) commending the people of the Republic of Kenya for conducting free and fair elections, for the peaceful and orderly transfer of power in their government, and for the continued success of democracy in their nation since that transition, as amended.

The Clerk read as follows:

H. RES. 177

Whereas on December 27, 2002, the Republic of Kenya successfully held presidential, parliamentary, and local elections;

Whereas these elections were widely praised by objective international observers as free and fair;

Whereas the Department of State stated that with these elections the Kenyan people "have made a strong demonstration of their democratic commitment and established an important example for the region and for the world";

Whereas the European Union stated that "the overall conduct of the elections constitutes an example for other countries in the region";

Whereas these elections signal a major step forward for Kenyan democracy, particularly when compared with other elections held in Kenya since it became an independent state in 1963;

Whereas the transition of power put in motion by these elections culminated on December 30, 2002, when former President Daniel Toroitich arap Moi peaceably transferred the Kenyan presidency to President Mwai Kibaki; and

Whereas these elections and the subsequent transfer of power from leader to leader represent the birth of a successful new democracy in Kenya: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the people of the Republic of Kenya for conducting free and fair elections, and the Government of Kenya for its successful completion of a peaceful and orderly transition of power;

(2) expresses its desire to see this new democracy in Kenya continue to thrive, as it has in the months following the 2002 elections;

(3) urges other African countries to look to Kenya as an example of a working democracy in action and to follow the example set by the people of Kenya during this recent election process;

(4) reaffirms the friendship that exists between the people of the United States and people of Kenya, as two nations bound together by the shared values of democracy;

(5) offers its commitment to working to ensure democracy is able to grow and flourish as Kenya moves into the challenging future that lies ahead; and

(6) commends the Government of Kenya for its commitment and concrete steps taken—

(A) to strengthen democracy, human rights and the rule of law;

(B) to combat corruption;

(C) to provide free and universal primary education;

(D) to fight against HIV/AIDS; and

(E) to support the United States in the war on terrorism.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. GREEN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there are many reasons for us to agree to this resolution and to commend the people and the Government of Kenya. First and foremost, just months ago Kenya conducted historic national elections. Historic because they were nonviolent and free and fair. People of Kenya rose up and rejected a trend of unfair antidemocratic elections that have marred not just Kenya but far too many countries and elections on that continent.

As a firsthand observer of those elections, I can testify to the determination that so many Kenyans and so many nongovernmental organizations showed in building a process for voter registration and voter education and ballot security that is commendable. Secondly, Mr. Speaker, we should commend Kenya for what those elections were all about. The now president, recently elected President Mwai Kibaki and his party won the presidency and the majority of the Kenya Parliament on a platform of rooting out corruption and reforming the government process and just as importantly offering the nation and the Kenyan people free primary school education. This platform was not only popular, obviously, but it was the right thing to do. It is a crucial part of a prescription for a brighter future for a country and a people of enormous potential. And while the new administration is young, it seems determined to follow through on its pledges.

The third reason, Kenya is a crucial ally and a good friend to America. We have a military access agreement with the government of Kenya. Kenya is a staunch ally and friend even though it is located in a troubled region; and as

we all know vividly and tragically, Kenya has been the site of horrible and deadly acts of terrorism aimed at Western interests. Just last week we praised and thanked Kenya for its handling of the many refugees who have fled from Kenya's troubled neighbors.

Mr. Speaker, I ask that we commend Kenya for its successful elections and its announced plans to attack corruption and its plans to extend basic education. I ask that we thank Kenya for its commitment to fighting terrorism shoulder to shoulder with the United States, and I ask that we encourage Kenya to follow through in its promising first steps since the administration took over. The future can be right, it can be bright, and it can be uplifting if they follow through on what they have started.

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

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

Mr. Speaker, I rise in strong support of this resolution. First, I want to thank the gentleman from Wisconsin (Mr. GREEN), my good friend and colleague, a distinguished member of the Committee on International Relations who has brought special expertise on Africa to our committee, for introducing this resolution which draws attention to the highly successful elections held recently in Kenya.

Kenya, Mr. Speaker, has traveled a bumpy road as an emerging democracy and has struggled with corruption, ethnic politics and questionable elections. It sounds like some other countries we know. Yet throughout its 40 years of independence, the Kenyan people have kept the dream of democracy alive, strived to build strong civic institutions, and upheld the ideals of democracy; and now this has paid off.

Mr. Speaker, Kenya is one of our strongest allies in our global war against terrorism, and it has paid a very high price. Many civilian lives were taken in the attacks on our embassy in Nairobi and a major tourist hotel. May I mention parenthetically, Mr. Speaker, that just this past weekend we were again forced to close our embassy in Nairobi, our new embassy because of terrorist threats.

The Kenyan economy, which is so heavily based on tourism, has suffered enormously. Yet the government of Kenya remains a staunch ally in our global fight against terrorism, a democracy in the face of this vulnerability.

Mr. Speaker, our resolution puts the U.S. Congress on record, supporting the people and the leaders of Kenya as they strive to build their democracy. They are on the right track. I hope, Mr. Speaker, that congressional support does not end with this resolution. Kenya continues to need our assistance in consolidating its democracy. The country needs our help in preventing future terrorist attacks and in rebuilding their tourism industry. I urge all of our colleagues to support H. Res. 177.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 177 which commends the people of the Republic of Kenya for conducting fair elections and maintaining a civil democracy.

Kenya, once a nation ripe with political corruption and intertribal conflict, has now established itself as an embodiment of democratic principle. Prior to the elections held in 2002, Kenya's system of government was used primarily as a means through which to achieve personal gain rather than the development of policies designed for the public good. The retirement of Daniel Arap Moi, after serving as president for two decades, ushered in a new beginning for Kenya's quest for political stability and overall sustainability. While intense power struggles and backroom deals among various political affiliations once permeated Kenya's government, the fair election of President Kibaki has given way to nation of openness and tolerance of different political ideologies within the scope of a diverse nation.

The peaceful transition of power has enabled Kenya to take on a more prominent position in the global community. Kenya has served an important role in fostering regional stability in the Horn of Africa. Kenya has invested a great deal of energy and resources in supporting the ongoing negotiations aimed at putting an end to the seemingly endless civil war being waged in Sudan. As the third largest economy in sub-Saharan Africa, Kenya has the potential to become one of the most influential countries in Africa.

Today Kenya remains a high priority for U.S. foreign policy interests. Kenya has remained a consistent supporter of U.S. efforts to combat terrorism on a global scale. However the U.S. should not simply reduce its partnership with Kenya to that of military and security concerns. Rather we should use this time of political calm to expand our range of interest to issues of human rights, democratization, and economic accountability. International donor agencies continue to fund a wide range of programs throughout the country as it is seen as nation of great possibility for economic growth and development. Research institutions, like the Center for Disease Control & Prevention, have made considerable investments in Kenya's public health system. Kenya's peaceful democratic transition has served as a humanitarian platform that other countries may be able to emulate. This point in time is a particularly critical juncture for Kenya. It will be important for Kenya to maintain its newfound sense of democracy as it attempts to sustain both its political as well as its economic stability.

Therefore I stand in solidarity with my colleagues in support of H. Res. 177 in hopes that Kenya continues along the path toward a peaceful democratic state.

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

Mr. GREEN of Wisconsin. Mr. Speaker, first I would like to thank the gentleman from California (Mr. LANTOS) for his gracious and kind words.

Mr. Speaker, I have no further requests for time, and I yield back the balance my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. GREEN) that the House suspend the

rules and agree to the resolution, H. Res. 177, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

COMMENDING THE SIGNING OF THE UNITED STATES-ADRIATIC CHARTER

Mr. GREEN of Wisconsin. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 209) commending the signing of the United States-Adriatic Charter, a charter of partnership among the United States, Albania, Croatia, and Macedonia, as amended.

The Clerk read as follows:

H. CON. RES. 209

Whereas the United States has an enduring interest in the independence, territorial integrity, and security of Albania, Croatia, and The Former Yugoslav Republic of Macedonia and supports their full integration in the community of democratic Euro-Atlantic states;

Whereas Albania, Croatia, and Macedonia have taken clear and positive steps to advance their integration into Europe by establishing close cooperative relations among themselves and with their neighbors, as well as their promotion of regional cooperation;

Whereas Albania, Croatia, and Macedonia have already contributed to European security and to the peace and security of southeast Europe through the resolution of conflicts in the region and their regional cooperation in the Southeast Europe Defense Ministerial;

Whereas on May 2, 2003, the United States-Adriatic Charter was signed in Tirana, Albania, by Secretary of State Colin Powell, Albanian Foreign Minister Ilir Meta, Croatian Foreign Minister Tonino Picula, and Macedonian Foreign Minister Ilinka Mitreva;

Whereas the Adriatic Charter affirms the commitment of Albania, Croatia, and Macedonia to the values and principles of the North Atlantic Treaty Organization (NATO) and to joining the Alliance at the earliest possible time;

Whereas Secretary of State Powell stated that the Adriatic Charter "reaffirms our partners' dedication to work individually, with each other, and with their neighbors to build a region of strong democracies powered by free market economies . . . [i]t underscores the importance we place on their eventual full integration into NATO and other European institutions . . . [a]nd most importantly, the Charter promises to strengthen the ties that bind the peoples of the region to the United States, to one another, and to a common future within the Euro-Atlantic family"; and

Whereas 75 Albanian special forces troops were sent to Iraq as part of the coalition forces during Operation Iraqi Freedom, 29 Macedonian special forces troops were sent to Iraq as part of the postwar stabilization force, and Albania, Croatia, and Macedonia all contributed to the stabilization forces in

Afghanistan, as signs of their commitment to promote international freedom and security: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) strongly supports the United States-Adriatic Charter and commends Albania, Croatia, and Macedonia for their continued efforts to become full-fledged members of the North Atlantic Treaty Organization (NATO) and the European Union;

(2) urges NATO to invite Albania, Croatia, and Macedonia to join NATO as soon as each of these countries respectively demonstrates the ability to assume the responsibilities of NATO membership through the Membership Action Plan;

(3) welcomes and supports the aspirations of Albania, Croatia, and Macedonia to join the European Union at the earliest opportunity;

(4) recognizes that Albania, Croatia, and Macedonia are making important strides to bring their economic, military, and political institutions into conformance with the standards of NATO and other Euro-Atlantic institutions; and

(5) commends Secretary of State Powell for his personal support of the Adriatic Charter.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. GREEN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. GREEN).

GENERAL LEAVE

Mr. GREEN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the concurrent resolution under consideration.

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

There was no objection.

Mr. GREEN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the concurrent resolution before us expresses the support of the Congress for the Adriatic Charter, as it was reported favorably by the Committee on International Relations on June 12.

The charter was signed on May 2 in the Albanian capital of Tirana by Secretary of State Powell and the foreign ministers of Albania, Croatia, and the former Yugoslav Republic of Macedonia, the three remaining NATO-aspirant nations.

The Adriatic Charter pledges the United States to support efforts by Albania, Croatia, and Macedonia to join Euro-Atlantic institutions like NATO and the European Union. In this agreement, the three aspirant nations commit themselves to accelerate their democratic reforms, protect human rights, implement market-oriented economic policies, and enhance their mutual cooperation. Under the Adriatic Charter, the United States and these three countries pledge to consult whenever the security of one of them is threatened. For their part, the aspirant countries promise to continue defense

reforms and to undertake steps to enhance border security so they can contribute to regional stability.

Mr. Speaker, this Member urges the House to agree to this concurrent resolution.

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

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

Mr. Speaker, I rise in strong support of this resolution. First, I want to commend the gentleman from Nebraska (Mr. BEREUTER) and the gentleman from New York (Mr. ENGEL) and the gentleman from Florida (Mr. WEXLER) for their leadership on this important resolution, and the gentleman from Illinois (Mr. HYDE), our chairman, for moving it forward so expeditiously.

Our resolution celebrates cooperation and forward-thinking among the nations of the Balkans, a region that just a few years ago was engulfed in ethnic violence and strife. Our Nation, Mr. Speaker, has an enduring interest in the independence, territorial integrity, and security of Albania, Croatia, and Macedonia and supports their full integration in the community of democratic Euro-Atlantic states. The Adriatic Charter affirms the commitment of Albania, Croatia, and Macedonia to the values and principles of NATO and to their joining the Atlantic Alliance at the earliest practical time.

Albania, Croatia, and Macedonia have taken positive steps to advance their integration into Europe and have already contributed to European security and to the peace and security of southeast Europe through the resolution of severe conflicts in the region.

Mr. Speaker, I commend all of my colleagues who have worked on this concurrent resolution. I urge every Member of this House to support its passage.

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

Mr. GREEN of Wisconsin. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. BEREUTER), the chairman of the Europe Subcommittee.

(Mr. BEREUTER asked and was given permission to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. GREEN) for handling this concurrent resolution and for the support of the gentleman from California (Mr. LANTOS), as well, on this very important resolution.

I want to begin by of course expressing my strong support for the resolution and thanking the distinguished gentleman from New York (Mr. ENGEL), one of our colleagues on the Committee on International Relations, for authoring the legislation and for working with the staff of the subcommittee and the full committee. He has long been a champion of Albania in the House, and I am pleased to be a cosponsor of this resolution.

As mentioned by the gentleman from Wisconsin (Mr. GREEN), this is a pledge

also on the part of Albania, Croatia, and Macedonia through what they did in Tirana for full continued support for moving towards NATO membership.

Under the Adriatic Charter, the United States and these three countries pledge to consult whenever the security of one of them is threatened. For their part, the aspirant countries promise to continue defense reforms and to undertake steps to enhance border security so that they can contribute to regional stability.

Some of the language in the Adriatic Charter might look familiar. Indeed, this document was based on the successful Baltic Charter, which was signed in 1998 between Estonia, Latvia, and Lithuania. Five years ago few observers would have been so bold as to predict that those three countries occupied for 50 years by the Soviet Union and then Russia-to-be would be poised to join NATO and the EU next year. The Baltic Charter signifies an American commitment to help those three countries in their successful efforts to join NATO and the EU. Today, the Adriatic Charter holds the potential for helping Albania, Croatia, and Macedonia to achieve the same goals.

□ 1430

This Member, of course, recognizes and commends the efforts of Secretary of State Powell and those of our diplomats working the European and Eurasian Bureau of the State Department for their initiative in crafting the Adriatic Charter.

As NATO prepares to admit seven new countries next year, it is important that these three remaining candidate countries are not forgotten. NATO's door remains open to all who are willing and able to assume the responsibilities of membership, and it is important that the Congress assert that it is the achievements of Albania, Croatia, and Macedonia that will determine when their aspirations for accession will be realized. Each of them are working through membership action plans to meet NATO's standards, and each will be judged on their own accomplishments.

Mr. Speaker, already, these three nations have acted like allies. All three countries have sent troops to the International Security Assistance Force in Afghanistan. In addition, Albania sent 75 special operations troops to take part in Operation Iraqi Freedom, and Macedonia this month has sent 29 special forces troops to Iraq to take part in the stabilization operations there. We appreciate their contributions and look forward to the day when they are ready to take on the full responsibilities of NATO membership.

Mr. Speaker, the Adriatic Charter is also one more step towards President Bush's goal of a Europe whole and free from the Baltic to the Black Sea. This Member commends and congratulates the people of Albania, Croatia, and Macedonia for their initiative and progress, and this Member urges the House to pass this resolution.

Mr. ENGEL. Mr. Speaker, I rise in support of H. Con. Res. 209, which commends the signing of the U.S. Adriatic Charter. As the author of H. Con. Res. 209, I am honored that the House is now considering this important resolution.

On May 2, 2003, the U.S. Adriatic Charter was signed in Tirana, Albania by Secretary of State Colin Powell and the Foreign Ministers of Albania, Croatia, and the Former Yugoslav Republic of Macedonia. As Secretary Colin Powell noted when he signed the document, it is remarkable that the agreement was signed in Albania, a country once known only for its isolation and distance from Western principles. Today, Tirana is a capital filled with energy as it continues its opening to Europe. Macedonia and Croatia have seen similar changes.

As NATO has expanded through other countries of Europe, several former Yugoslav nations in South Central Europe were excluded. They just were not ready for membership. Today, three of those nations, Albania, Croatia, and Macedonia are now moving to make the needed changes and reforms so that they can join the North Atlantic structures.

The U.S. Adriatic Charter embodies a commitment by Albania, Croatia, and Macedonia to the values and principles of NATO and a declaration of their intent to join NATO as soon as they meet Alliance standards. I strongly support their efforts to advance toward NATO membership and having Secretary Powell sign the Charter puts the United States firmly in support of their efforts to join NATO when they are ready.

By passing this resolution today, Congress will add its voice, by "urg[ing] NATO to invite Albania, Croatia, and Macedonia to join NATO as soon as these countries demonstrate the ability to assume the responsibilities of NATO membership."

H. Con. Res. 209 also welcomes and supports the aspirations of Albania, Croatia, and Macedonia to join the European Union at the earliest opportunity and recognizes that the three countries are making important strides to bring their economic, military, and political institutions into conformance with the standards of NATO and other Euro-Atlantic institutions. Finally, our resolution also commends Secretary Powell for his strong personal support of the resolution, as demonstrated by his travel to the region to sign the document.

Mr. Speaker, as the sponsor of H. Con. Res. 209, I think this is an appropriate forum to publicly thank Albania, for sending 75 commandos to Iraq to fight along side our troops. It is my hope that Albania, one of only three European countries to send ground troops to fight in the war, would be high on Defense Department's list when it considers the realignment of and new bases for American forces around the world.

Finally, I would like to thank the chairman of the Europe Subcommittee, Mr. BEREUTER, and his staff for their cooperation and support as we drafted this resolution, H. Con. Res. 209. I would also like to thank the ranking member of the subcommittee, Mr. WEXLER, for his support.

Again, I strongly support H. Con. Res. 209 and urge my colleagues to support its passage.

Mr. Speaker, I ask unanimous consent to include in the portion of the CONGRESSIONAL RECORD containing the debate on H. Con. Res. 209, regarding the U.S. Adriatic Charter,

letters from John Kraljic, President of the National Federation of Croatian Americans, His Excellency Nikola Dimitrov, Ambassador of the former Yugoslav Republic of Macedonia, and Martin Vulaj, Executive Director of the National Albanian American Council.

EMBASSY OF THE
AMBASSADOR REPUBLIC OF MACEDONIA,
Washington, DC, June 12, 2003.

Hon. Representative ELIOT E. ENGEL,
House of Representatives, Washington, DC.

DEAR MR. ENGEL: Allow me to express my sincere gratitude for your initiative in adopting the resolution H. Con. Res. 209 by the Committee on Foreign Relations of the House of the Representatives regarding the signing of the United States-Adriatic Charter, charter of partnership among the United States, Albania, Croatia, and Macedonia.

Let me assure you one more time that Macedonia, along with Albania and Croatia is strongly committed to the values and principles of the NATO and is willing to joining the Alliance at the earliest possible time.

My country already contributes to European security and to the peace and security of southeast Europe through peaceful resolution of the conflicts and regional cooperation.

Macedonia strongly supports the endeavors of the Government of the United States to bring security, stability and democracy in Iraq and Afghanistan. My Government has sent troops to Iraq as part of the coalition forces to contribute the success of the operation Iraqi Freedom, and to Afghanistan.

Dear Mr. Engel, I look forward for future opportunity to exchange our views, and thank you again for your support to my country.

Sincerely,

Nikola Dimitrov.

NATIONAL FEDERATION OF CROATIAN
AMERICANS CULTURAL FOUNDATION,
Washington, DC, June 19, 2003.

Hon. ELIOT ENGEL,
Rayburn House Office Building, House of Representatives, Washington, DC.

DEAR CONGRESSMAN ENGEL: Thank you for the introduction of H. Con. Res. 209 and your important service in the U.S. Congress on the Europe Subcommittee of the House International Relations Committee.

The National Federation of Croatian Americans (NFCA) understands that your Concurrent Resolution commending the signing of the United States-Adriatic Charter—a charter of partnership among the United States, Albania, Croatia, and Macedonia—has been voted out of the Full Committee and awaits House Floor action. Please be aware that the NFCA fully supports the passage of this Resolution by both the House of Representatives and the Senate.

NFCA has long supported the Republic of Croatia's request for membership in the North Atlantic Treaty Organization (NATO). We believe it is a natural and important extension of Croatia's integration into important western security and related alliances since the Republic's reestablishment as a viable nation-state over ten years ago. Croatia is the most stable and economically developed country in southeastern Europe. Its democratic structure has been strongly established as evidenced by three national elections since 1990. Croatia has a wide range of political parties and a critical and independent press. Economically Croatia's Gross Domestic Product is greater than that of most of its neighbors, some of whom have already joined NATO. Furthermore, since the time Croatia claimed its independence in the

early 1990s, it has adopted American and NATO military techniques. Croatia currently participates as full partner in the U.S. and NATO war on international terrorism.

The NFCA is a Washington, DC-based national umbrella organization that represents over 20 Croatian American groups and 130,000 members. We have promoted the early admittance of Croatia into NATO and, indeed, believe that Croatia should be invited to join NATO as soon as it meets the criteria for membership. Our organization believes the passage of this Concurrent Resolution by the U.S. House of Representatives will further underline the need to bring Croatia into NATO at the earliest opportunity. The NFCA fully supports the passage of H. Con. Res. 209.

Thank you once again for your leadership on this important Resolution.

Sincerely,

JOHN KRALJIC,
President.

NATIONAL ALBANIAN
AMERICAN COUNCIL,
Washington, DC, June 23, 2003.

Hon. ELIOT ENGEL,

*Co-Chairman of the Albanian Issues Caucus,
Rayburn House Office Building, House of
Representatives, Washington, DC.*

DEAR CONGRESSMAN ENGEL: The National Albanian American Council wishes to express its grateful thanks to you for your initiative in introducing H. Con. Res. 209, which passed by the House International Relations Committee regarding the signing of the United States—Adriatic Charter, a charter of partnership among the United States, Albania, Croatia, and Macedonia.

We believe that this is an important step in paving the way for Albania, Croatia, and Macedonia to become members of NATO in the future. It also reaffirms their determination to work individually and with each other to build a region of strong democracies powered by a free market economy.

We wish to thank you Congressman Engel for your outstanding work and your commitment to the development and democratization of the Balkans. The National Albania American Council wishes to recognize your outstanding contributions and your leadership in the Albania Issues Caucus on behalf of the Albania American Community.

Sincerely,

MARTIN VULAJ,
Executive Director.

Mr. RADANOVICH. Mr. Speaker, I rise today in support of H. Con. Res. 209. I am proud to support a resolution which commends the signing of the United States-Adriatic Charter and urges NATO to invite Croatia to become a member.

I have long supported the Republic of Croatia's request for membership in the NATO, and I believe it is a natural and important extension of Croatia's integration into important western security and related alliances since the Republic's reestablishment as a viable nation-state over 10 years ago.

Croatia is one of the most stable and economically developed countries in the southeastern Europe. Its democratic structure has been strongly established as evidence by three national elections since 1990.

Croatia has a wide range of political parties and a critical and independent press. Economically, Croatia's Gross Domestic Product is greater than that of most of its neighbors, some of whom have already joined NATO.

In addition, Croatia currently participates as a full partner in the United States and NATO war on international terrorism. Finally, I believe the passage of this concurrent resolution will further underline the need to bring Croatia into NATO at the earliest opportunity.

Mr. GREEN of Wisconsin. Mr. Speaker, I have no further requests for time,

and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. ADERHOLT). The question is on the motion offered by the gentleman from Wisconsin (Mr. GREEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 209, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

FAMILY FARMER BANKRUPTCY RELIEF ACT OF 2003

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2465) to extend for six months the period for which chapter 12 of title 11 of the United States Code is reenacted.

The Clerk read as follows:

H.R. 2465

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Family Farmer Bankruptcy Relief Act of 2003".

SEC. 2. SIX-MONTH EXTENSION OF PERIOD FOR WHICH CHAPTER 12 OF TITLE 11, UNITED STATES CODE, IS REENACTED.

(a) AMENDMENTS.—Section 149 of title I of division C of Public Law 105-277 (11 U.S.C. 1201 note) is amended—

(1) by striking "July 1, 2003" each place it appears and inserting "January 1, 2004"; and

(2) in subsection (a)—

(A) by striking "December 31, 2002" and inserting "June 30, 2003"; and

(B) by striking "January 1, 2003" and inserting "July 1, 2003".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on July 1, 2003.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Wisconsin (Ms. BALDWIN) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2465.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 2465, the Family Farmers Bankruptcy Relief Act of 2003.

Earlier this year, the National Oceanic and Atmospheric Administration

reported that certain parts of our Nation, particularly the western and Great Plains States, were experiencing "one of the worst droughts in 108 years." Other parts of the country, like the Northeast, are currently enduring seemingly unending days of rainy weather.

While bad weather may be merely an inconvenience for some of us, uncontrollable weather conditions represent just one of the many difficult challenges that confront family farmers. Like many small businesses, family farmers must also endure and react to rising energy costs, volatile marketplace conditions, and increasing competition from larger businesses. Unfortunately, these economic forces can negatively affect the financial stability of the family farmer.

In response to the particularized needs of family farmers in financial distress, chapter 12 of the Bankruptcy Code was enacted in 1986 as a part of the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act. Although originally enacted on a temporary basis to address the farming crisis of the 1980s, chapter 12 has been extended on nine occasions in recognition of the vital relief it offers to family farmers in financial distress. Unless further extended, chapter 12 will sunset at the end of this month.

It is crucial that this specialized form of bankruptcy relief for family farmers not be allowed to sunset for two fundamental reasons. First, family farmers, absent chapter 12, would be forced to file for bankruptcy relief under the Bankruptcy Code's other alternatives, none of which work as well for them as does chapter 12.

Chapter VII of the Bankruptcy Code, for instance, would require a farmer to liquidate; that is, sell the family farm to pay the claims of the farmer's creditors. Many farmers would be precluded from choosing bankruptcy relief under chapter 13 of the Bankruptcy Code because of its restrictive eligibility standards. Furthermore, Chapter XI, the Bankruptcy Code's business reorganization alternative, is not farmer-friendly in various respects, as it often entails an expensive and time-consuming process that does not readily accommodate the special needs of farmers.

Second, recent statistics demonstrate that there is not only a continuing need for chapter 12, but that this need is apparently increasing. According to the Administrative Office of the United States Courts, chapter 12 bankruptcy filings jumped by more than 62 percent over the past year. I introduced H.R. 2465 to extend chapter 12 for an additional 6 months through December 31, 2003, and thereby maintain the status quo while the Congress completes its consideration of comprehensive bankruptcy reform.

As my colleagues may recall, last March the House overwhelmingly

passed H.R. 975, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2003, which is now awaiting consideration in the other body. H.R. 965 contains many farmer-friendly provisions that would make chapter 12 a permanent fixture of the Bankruptcy Code for family farmers and generally make it easier for farmers in financial distress to be eligible for this form of bankruptcy relief. In addition, H.R. 975 would raise the debt limit and lower the income threshold so that many more family farmers could avail themselves of chapter 12. Also, this bill, for the first time, would extend the benefits of this specialized form of bankruptcy relief to family fishermen.

It is my sincere hope that in the very near future, we will see comprehensive bankruptcy reform legislation finally enacted, together with the permanent extension of chapter 12. Thus, I urge my colleagues to vote for H.R. 2465.

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

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

Mr. Speaker, chapter 12 bankruptcy protection expires in 7 days. Once again, we are forced to approve a temporary extension of this vital protection.

Since I was first elected to Congress just 4½ years ago, we have passed seven temporary extensions of this bill. It is high time that we make this very noncontroversial program permanent. That is the bill we should be debating and passing today.

Mr. Speaker, chapter 12 provides an important backstop for our Nation's struggling family farmers by allowing them to reorganize their debts and keep their farms. What we do here in Washington directly affects the lives of real people facing real financial challenges.

I want to try to put a human face on this issue. In Wisconsin recently, a Columbus, Wisconsin farmer filed for chapter 12 bankruptcy. He works night and day to make his farm a success. Unfortunately, like many farmers, the weather and the market conspired to disrupt his cash flow. Filing chapter 12 gave his family time to negotiate with his creditors, while he switched from corn and soybean production to vegetable production, with local market sales. He sells his produce at farmers' markets in the Cities of Madison and Princeton. He is paying his debts. Under chapter 12, it was not only the Columbus farmer that benefited. His creditors got their money, and the people in my district can purchase his bounty.

Chapter 12 does not just provide a direct benefit to those using its protections. Many farmers who face possible bankruptcy never get to a court filing. The very existence of the option of filing for chapter 12 bankruptcy promotes negotiations between farmers and their creditors.

There is a great consensus that chapter 12 bankruptcy protections work

well. It is for that reason that we have included a permanent authorization in the comprehensive bankruptcy reform bill for the past three sessions of Congress. In fact, it is considered so popular that it has been held hostage to the larger bill. Every time we come to the floor to extend chapter 12, we are told that permanent extension cannot be passed separately from the big bill because taking out a popular item might slow that bill's momentum. We were told we had to strip the permanent extension of chapter 12 from last year's farm bill because it would slow down the bankruptcy bill. Well, here we are again, passing yet another temporary extension, and still the permanent extension languishes with about as much momentum as the continental drift.

Mr. Speaker, the House should pass this bill today, and I urge my colleagues to do just that. But we should also be voting on making chapter 12 permanent. Let us end these uncertainties that the extension causes. Let us end this chapter 12 extension dance.

Since the current authorization will expire within a few days, farmers do need the immediate relief provided by this extension. With the current year's crops in the ground, farmers need to know that they can reorganize and keep their farming operations. This bill would provide the security that family farmers in financial crisis need to decide whether to stay in business for one more year.

I urge my colleagues to support this legislation.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. BEREUTER).

(Mr. BEREUTER asked and was given permission to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, I rise in support of H.R. 2465.

Mr. Speaker, this Member rises today to express his support for H.R. 2465, which extends Chapter 12 bankruptcy for family farms and ranches to January 1, 2004. Chapter 12 bankruptcy once again is set to expire on July 1, 2003. This legislation is very important to the nation's agriculture sector.

This Member would express his appreciation to the distinguished gentleman from Wisconsin (Mr. SENSENBRENNER), the Chairman of the House Judiciary Committee, for introducing H.R. 2465. In addition, this Member would like to express his appreciation to the distinguished gentleman from Michigan (Mr. SMITH) for his efforts in getting this measure to the House Floor for consideration.

This extension of Chapter 12 bankruptcy is supported by this Member as it allows family farmers to reorganize their debts as compared to liquidating their assets. The use of the Chapter 12 bankruptcy provision has been an important and necessary option for family farmers throughout the nation. It has allowed family farmers to reorganize their assets in a manner which balances the interests of creditors and the future success of the involved farmer.

If Chapter 12 bankruptcy provisions are not extended for family farmers, it will be another very painful blow to an agricultural sector already reeling from low commodity prices. Not only will many family farmers have no viable option other than to end their operations, but it will also cause land values to likely plunge. Such a decrease in value of farmland will negatively affect the ability of family farmers to earn a living. In addition, the resulting decrease in farmland value will impact the manner in which banks conduct their agricultural lending activities. Furthermore, this Member has received many contacts from his constituents supporting the extension of Chapter 12 bankruptcy because of the situation now being faced by our nation's farm families—it is clear that the agricultural sector is hurting.

In closing, this Member urges his colleagues to support H.R. 2465.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, no one is as frustrated as I am at the lack of progress on the overall bankruptcy reform bill, which is comprehensive and which will make this economy work better and more efficiently, particularly for those people who pay their bills and obligations on time. Without the overall bankruptcy reform bill being enacted into law, there will be those that use bankruptcy reform as a financial planning tool. That is absolutely wrong. Bankruptcy should exist for people and organizations that are genuinely down and out and who need to go through bankruptcy in order to get a fresh start, and the bill that is in the other body which this House passed by an overwhelming margin does just that.

I can understand the desire of people who are opposed to an overall bankruptcy reform bill to try to cherry-pick the popular items out of it and pass them piecemeal so that their opposition will end up sinking the overall bankruptcy reform bill once and for all. I do not go along with that, and I do not think the majority of this House will either.

The reason we have a temporary extension of chapter 12 here is to make sure that these protections for family farmers are maintained. But if chapter 12 and other issues are cherry-picked out, then the \$44 billion a year of debt that is written off in bankruptcy will be passed on to those who pay their bills, including farmers who pay their bills in the form of higher goods and services.

That is why the overall bankruptcy reform bill ought to be enacted into law. And while the gentlewoman from Wisconsin might be prepared to give up on that issue, I am not, and that is why this bill is a temporary extension. We are going to do the job that needs to be done for the farmers today, and then, hopefully, later on this year, when the other body passes the overall bankruptcy reform bill, we will be able to do the job that needs to be done for people who pay their bills on time and, as agreed, to prevent this huge shift of costs from those who do not pay their bills to those who do.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 2465.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1445

VETERANS ENTREPRENEURSHIP AND BENEFITS IMPROVEMENT ACT OF 2003

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1460) to amend title 38, United States Code, to permit the use of education benefits under such title for certain entrepreneurship courses, to permit veterans enrolled in a vocational rehabilitation program under chapter 31 of such title to have self-employment as a vocational goal, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1460

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans Entrepreneurship and Benefits Improvement Act of 2003".

SEC. 2. AUTHORIZATION FOR STATE APPROVING AGENCIES TO APPROVE CERTAIN ENTREPRENEURSHIP COURSES.

(a) APPROVAL OF ENTREPRENEURSHIP COURSES.—Section 3675 of title 38, United States Code, is amended by adding at the end the following new subsection:

"(c)(1) A State approving agency may approve the entrepreneurship courses offered by a qualified provider of entrepreneurship courses.

"(2) For purposes of this subsection, the term 'entrepreneurship course' means a non-degree, non-credit course of business education that enables or assists a person to start or enhance a small business enterprise.

"(3) Subsection (a) and paragraphs (1) and (2) of subsection (b) do not apply to—

"(A) an entrepreneurship course offered by a qualified provider of entrepreneurship courses; and

"(B) a qualified provider of entrepreneurship courses by reason of such provider offering one or more entrepreneurship courses."

(b) BUSINESS OWNERS NOT TREATED AS ALREADY QUALIFIED.—Section 3471 of such title is amended by inserting before the last sentence the following: "The Secretary shall not treat a person as already qualified for the objective of a program of education offered by a qualified provider of entrepreneurship courses solely because such person is the owner or operator of a business."

(c) INCLUSION OF ENTREPRENEURSHIP COURSES IN DEFINITION OF PROGRAM OF EDU-

CATION.—Subsection (b) of section 3452 of such title is amended by adding at the end the following: "Such term also includes any course, or combination of courses, offered by a qualified provider of entrepreneurship courses."

(d) INCLUSION OF QUALIFIED PROVIDER OF ENTREPRENEURSHIP COURSES IN DEFINITION OF EDUCATIONAL INSTITUTION.—Subsection (c) of section 3452 of such title is amended by adding at the end the following: "Such term also includes any qualified provider of entrepreneurship courses."

(e) DEFINITION OF QUALIFIED PROVIDER OF ENTREPRENEURSHIP COURSES.—Section 3452 of such title is further amended by adding at the end the following new subsection:

"(h) The term 'qualified provider of entrepreneurship courses' means—

"(1) a small business development center described in section 21 of the Small Business Act (15 U.S.C. 648), and

"(2) the National Veterans Business Development Corporation (established under section 33 of such Act (15 U.S.C. 657c)) insofar as the Corporation offers or sponsors an entrepreneurship course (as defined in section 3675(c)(2) of this title)."

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to courses approved by State approving agencies after the date of the enactment of this Act.

SEC. 3. PROCUREMENT PROGRAM FOR CERTIFIED SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY QUALIFIED SERVICE-DISABLED VETERANS, ETC.

(a) ESTABLISHMENT OF PROGRAM.—The Small Business Act (15 U.S.C. 631 et seq.) is amended by redesignating section 36 as section 38 and by inserting after section 35 the following new sections:

"SEC. 36. PROCUREMENT PROGRAM FOR CERTIFIED SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY QUALIFIED SERVICE-DISABLED VETERANS.

"(a) SOLE SOURCE CONTRACTS.—In accordance with this section, a contracting officer may award a sole source contract to any certified small business concern owned and controlled by qualified service-disabled veterans if—

"(1) such concern is determined to be a responsible contractor with respect to performance of such contract opportunity and the contracting officer does not have a reasonable expectation that 2 or more certified small business concerns owned and controlled by qualified service-disabled veterans will submit offers for the contracting opportunity;

"(2) the anticipated award price of the contract (including options) will not exceed—

"(A) \$5,000,000, in the case of a contract opportunity assigned a standard industrial classification code for manufacturing; or

"(B) \$3,000,000, in the case of any other contract opportunity; and

"(3) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.

"(b) RESTRICTED COMPETITION.—In accordance with this section, a contracting officer may award contracts on the basis of competition restricted to certified small business concerns owned and controlled by qualified service-disabled veterans if the contracting officer has a reasonable expectation that not less than 2 certified small business concerns owned and controlled by qualified service-disabled veterans will submit offers and that the award can be made at a fair market price.

"(c) ENFORCEMENT; PENALTIES.—Rules similar to the rules of section 31(c) shall apply for purposes of this section.

"(d) COLLECTION OF DATA REGARDING SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—

"(1) SURVEY.—Not later than 2 years after the date of the enactment of this section and each 3 years thereafter, the Administrator, in consultation with the Secretary of Veterans Affairs, shall complete a survey of service-disabled veterans receiving benefits under title 38, United States Code, to determine the number, identity, and primary industry classification of small business concerns owned and controlled by service-disabled veterans.

"(2) REPORT TO CONGRESS.—The Administrator, in consultation with the Secretary of Veterans Affairs, shall report to Congress on the results of each survey conducted under paragraph (1). Such report shall include the total number of small business concerns owned and controlled by service-disabled veterans.

"(e) CONTRACTING OFFICER.—For purposes of this section and section 37, the term 'contracting officer' has the meaning given such term in section 27(f)(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(f)(5)).

"SEC. 37. PRIORITY OF SMALL BUSINESS PROCUREMENT PREFERENCES.

"(a) IN GENERAL.—A contracting officer may not make a procurement from a source on the basis of a preference provided under any provision of this Act referred to in subsection (b) unless the contracting officer has determined that such procurement cannot be made on the basis of a preference provided under another provision of this Act with a higher priority under such subsection.

"(b) ORDER OF PRIORITY.—For purposes of this section, the following provisions of this Act are listed in order of priority from highest to lowest:

"(1) Section 8(a).

"(2) Section 36(b).

"(3) Section 36(a).

"(4) Section 31(b)(2)(B).

"(5) Section 31(b)(2)(A).

"(6) Section 8(m).

"(c) PRIORITY OF CERTAIN OTHER PROCUREMENT PREFERENCES.—A procurement may not be made from a source on the basis of a preference provided under any provision of this Act referred to in subsection (b) if the procurement would otherwise be made from a different source under section 4124 or 4125 of title 18, United States Code, or the Javits-Wagner-O'Day Act (41 U.S.C. 46 et seq.)."

(b) CERTIFIED SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—Subsection (q) of section 3 of the Small Business Act (15 U.S.C. 632) is amended by adding at the end the following new paragraph:

"(5) CERTIFIED SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY QUALIFIED SERVICE-DISABLED VETERANS.—

"(A) QUALIFIED SERVICE-DISABLED VETERAN.—The term 'qualified service-disabled veteran' means any veteran who—

"(i) has one or more disabilities that are service-connected (as defined in section 101(16) of title 38, United States Code) and rated at 10 percent or more by the Secretary of Veterans Affairs; or

"(ii) is entitled to benefits under section 1151 of title 38, United States Code.

"(B) SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY QUALIFIED SERVICE-DISABLED VETERANS.—The term 'small business concern owned and controlled by qualified service-disabled veterans' means a small business concern—

"(i) not less than 51 percent of which is owned by one or more qualified service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more qualified service-disabled veterans; and

“(ii) the management and daily business operations of which are controlled by one or more qualified service-disabled veterans or, in the case of a veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

“(C) CERTIFIED SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY QUALIFIED SERVICE-DISABLED VETERANS.—The term ‘certified small business concern owned and controlled by qualified service-disabled veterans’ means any small business concern owned and controlled by qualified service-disabled veterans that is certified by the Administrator as being such a concern.”

(c) CONFORMING AMENDMENTS.—Paragraph (2) of section 31(b) of the Small Business Act (15 U.S.C. 657a(b)) is amended—

(1) by striking “Notwithstanding any other provision of law” and inserting “In accordance with this section”;

(2) in subparagraph (B)—

(A) by striking “a contract opportunity shall be awarded pursuant to this section” and inserting “a contracting officer may award contracts”;

(B) by striking “; and” at the end and inserting a period; and

(3) by striking subparagraph (C).

(d) DEPARTMENT OF VETERANS AFFAIRS PILOT PROGRAM.—

(1) IN GENERAL.—In the case of a contracting officer of the Department of Veterans Affairs, the provisions of the Small Business Act referred to in paragraphs (1), (2), and (3) of section 37(b) of such Act shall be treated as being equal in priority for purposes of applying section 37 of such Act.

(2) TERMINATION.—Paragraph (1) shall not apply with respect to procurements made after September 30, 2007.

SEC. 4. AUTHORIZATION TO PROVIDE ADAPTED HOUSING ASSISTANCE TO CERTAIN DISABLED MEMBERS OF THE ARMED FORCES WHO REMAIN ON ACTIVE DUTY.

Section 2101 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(c)(1) The Secretary may provide assistance under subsection (a) to a member of the Armed Forces serving on active duty who is suffering from a disability described in paragraph (1), (2), or (3) of that subsection if such disability is the result of an injury incurred or disease contracted in or aggravated in line of duty in the active military, naval, or air service. Such assistance shall be provided to the same extent as assistance is provided under that subsection to veterans eligible for assistance under that subsection and subject to the requirements of the second sentence of that subsection.

“(2) The Secretary may provide assistance under subsection (b) to a member of the Armed Forces serving on active duty who is suffering from a disability described in subparagraph (A) or (B) of paragraph (1) of that subsection if such disability is the result of an injury incurred or disease contracted in or aggravated in line of duty in the active military, naval, or air service. Such assistance shall be provided to the same extent as assistance is provided under such subsection to veterans eligible for assistance under that subsection and subject to the requirements of paragraph (2) of that subsection.”

SEC. 5. REINSTATEMENT OF MINIMUM REQUIREMENTS FOR SALE OF VENDEE LOANS.

(a) IN GENERAL.—Section 3733(a) of title 38, United States Code, is amended—

(1) by striking paragraph (2) and redesignating paragraphs (3), (4), (5), and (6) as paragraphs (2), (3), (4), and (5), respectively; and

(2) in subparagraph (B)(i) of paragraph (3), as so redesignated, by striking “paragraph (5) of this subsection” and inserting “paragraph (4)”.

(b) INCREASE IN MAXIMUM PERCENTAGE.—Section 3733(a)(1) of such title is amended—

(1) by striking “65 percent” in the first sentence and inserting “85 percent”; and

(2) by striking the second sentence.

(c) STYLISTIC AMENDMENT.—Section 3733 of such title is amended by striking “paragraph (1) of this subsection” each place it appears and inserting “paragraph (1)”.

SEC. 6. PAYMENT OF ACCRUED BENEFITS.

(a) REPEAL OF LIMITATION ON PAYMENT.—Subsection (a) of section 5121 of title 38, United States Code, is amended by striking “for a period not to exceed two years” in the matter preceding paragraph (1).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect with respect to deaths occurring on or after the date of the enactment of this Act.

The SPEAKER pro tempore (Mr. ADERHOLT). Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Maine (Mr. MICHAUD) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before I begin discussing our bill, Mr. Speaker, I would like to note with great sadness the passing of the former chairman of the Committee on Veterans Affairs, Bob Stump. Bob was a great friend to all of those who served in the Armed Forces since his own Naval experience as a Navy corpsman serving in the South Pacific during World War II. Although you did not see Bob making the rounds on the Sunday morning talk shows, his words, and especially his actions and deeds, spoke volumes about his dedication to all those who serve and have served our country in the United States military.

Bob served in Congress for 26 years. He was chairman of the House Committee on Veterans Affairs from 1995 to 2000, and then chaired the House Committee on Armed Services until his retirement in December of 2002. He has left a lasting legacy of service to our country, and he will be dearly missed.

On behalf of the Committee on Veterans Affairs, I want to express our condolences to his wife, Nancy, his children, Karen, Hoot, and Bruce, and to his grandchildren as well.

Mr. Speaker, I rise today in strong support of H.R. 1460, as amended, the Veterans Entrepreneurial and Benefits Improvement Act of 2003. The Committee on Veterans Affairs reported H.R. 1460 unanimously on May 15 as a result of the initiative of the gentleman from Arizona (Mr. RENZI), who introduced the bill. This bill was introduced following a hearing on the state of veterans employment on February 5 at which the gentleman from Arizona (Mr. RENZI) highlighted the seriously inadequate performance of Federal agencies in reaching out to disabled veteran-owned businesses. Since then, the ranking member, the gentleman from Illinois (Mr. EVANS), and I have worked closely with the chairman, the gentleman from Illinois (Mr. MAN-

ZULLO), and the ranking member, the gentlewoman from New York (Ms. VELÁZQUEZ), of the Committee on Small Business with respect to section 3 of the bill on which the Committee on Small Business had jurisdiction.

I am pleased that we have been able to formulate language agreeable to both committees, and I want to thank the gentleman from Illinois (Mr. MANZULLO) and the gentlewoman from New York (Ms. VELÁZQUEZ) for their cooperative efforts.

Mr. Speaker, disabled American veterans deserve a full opportunity to participate in the economic system that they fought so hard to defend. Section 2 of the bill would make improvements to the veteran and service-disabled veteran's small business opportunities by authorizing for the first time the use of VA education benefits to pay for non-degree/noncredit courses. These courses are offered by the Small Business Development Center and the National Veterans Business Development Corporation.

Section 3 of the bill has been, if you want to look at it one way, almost 23 years in the making. It contains a disabled veterans contracting preference provision derived from the 1980 White House Conference on Small Business convened by then-President Jimmy Carter.

The 1981 consultant report of the SBA Veterans Project and the 1999 report of the bipartisan Congressional Commission on Servicemembers and Veterans Transition Assistance made similar-type recommendations.

This provision for the first time would authorize Federal agencies to create sole-source contracts for disabled veteran-owned and -controlled small businesses. It would also furnish Federal agencies discretionary authority to restrict contracts to disabled veteran-owned and -controlled businesses if at least two such concerns were qualified to bid on the contract. This is the first time Federal contracting officers will have such authority.

Section 3 would also create a 4-year pilot in the Department of Veterans Affairs, service-disabled veterans-controlled businesses, and would have the same contracting priority as SBA's 8(a) program for socially and economically disadvantaged small business.

For all other Federal agencies, service-connected disabled-veteran-owned and -controlled businesses would be accorded priority to be awarded procurement contracts above the women-owned and HUBZone priorities, but just below 8(a) priorities.

In all cases, to be eligible for these procurement preferences, veterans who own and control small businesses would need to have at least a 10 percent service-connected disability.

The Federal Government, Mr. Speaker, contracts for about \$235 billion in goods and services annually. America's sons and daughters who became disabled in their service to the Nation will

now have some of the same types of contracting preferences accorded to other deserving groups.

Section 4 of the bill, Mr. Speaker, would extend VA's specially adapted housing grant to severely disabled service members prior to separation from active duty service. Under current law, an otherwise eligible servicemember may not apply for home modification assistance until he or she is actually separated from the military or placed on the temporary-disabled retirement list.

I want to commend the gentleman from Illinois (Mr. EVANS) for his leadership in putting together this important provision.

Section 5 would reinstate the Department of Veterans Affairs' vendee loan programs, which the VA administratively terminated last January. I want to thank the gentleman for joining me for authoring this provision.

When a purchaser agrees to buy a foreclosed VA home, VA often offers to finance the sale by establishing a vendee loan to encourage the prompt sale of a home. Vendee loans are made at market interest rates and often require a down payment. Borrowers are assessed a 2.25 percent funding fee that is paid in each case. The vendee loan program is based on sound business principles, and there is an ample body of empirical evidence to suggest that offering vendee financing is highly cost effective to the government. In March, for example, of 2002, a Booz, Allen, Hamilton study found that cost effectiveness of vendee loan financing, their report said that the government would save \$16 million a year starting in 1999.

Finally, section 6 of the bill would repeal the existing 2-year limitation on accrued benefits so that a veteran survivor may receive the full amount of an award and of benefits and may not be penalized if VA does not process the claim in a timely manner. This section is derived from H.R. 241, legislation that I introduced earlier this year.

Finally, I want to thank especially the good leadership that the gentleman from Arizona (Mr. RENZI) has provided in shaping this legislation. As always, I wanted to thank my good friend and colleague, the gentleman from Illinois (Mr. EVANS), for his work on this, as well as the gentleman from Maine (Mr. MICHAUD) who is representing the minority in presenting this bill to the floor today and for his good work as ranking member of the subcommittee.

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

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

Mr. Speaker, I rise today to express my strong support for H.R. 1460, the Veterans Entrepreneurship and Benefits Improvement Act of 2003, which I am a proud co-sponsor of. I also would like to thank the chairman of the committee, the gentleman from New Jersey (Mr. SMITH); the ranking member, the gentleman from Illinois (Mr. EVANS); and the chairman of the Sub-

committee on Benefits, the gentleman from South Carolina (Mr. BROWN), for their work in bringing this important legislation to the floor.

This bill includes several provisions related to veterans who are owners of small businesses or who aspire to be.

I appreciate the efforts of the chairman, the gentleman from Illinois (Mr. MANZULLO); and the ranking member, the gentlewoman from New York (Ms. VELAZQUEZ); as well as the staff of the Committee on Small Business for their assistance with those provisions.

H.R. 1460 would authorize the use of VA education assistance to pay for nondegree and noncredit business courses at approved institutions. This will enable veterans to obtain educational opportunities that meet their small business goals. This legislation would also improve the ability of service-disabled veterans who own small businesses to do business with the Federal Government.

As a member of both the Committee on Small Business and the Committee on Veterans Affairs, I am pleased that we are considering this legislation to help service-disabled veterans to obtain government contracts. These men and women who have sacrificed so much for this country, they are disabled as a result of their service to our Nation. The least that we can do is to say if you own a small business, then you should have the opportunity to obtain contracts from the Federal Government.

I am particularly disappointed about the number of service-disabled veterans who are obtaining Federal contracts. The number is already unacceptably small, and it has actually decreased over the past year. As Angela Styles of the Office of Management and Budget testified earlier this year, the Federal Government's record for contracts to service-disabled veterans is abysmal.

This bill will help improve that record. Section 4 of the bill includes provisions from H.R. 761, introduced by the ranking member, the gentleman from Illinois (Mr. EVANS), and by the chairman, the gentleman from New Jersey (Mr. SMITH). These provisions would allow servicemembers such as those seriously disabled during the Iraq War to obtain special adapted housing grants before being discharged from military service. These grants are available only to the most severely disabled veterans.

Under current law, servicemembers with severe disabilities may have their hospital discharge delayed if, for example, they do not have a wheelchair-accessible home available. But we can speed up the process by giving them their assistance immediately. Since they will meet the requirements as soon as they are discharged, there is no reason to delay providing them with assistance while their discharge is pending. This is a sensible, cost-effective and humane provision.

Section 5 of the bill would reinstate a particularly effective VA vendee home

loan program, and I am puzzled as to what the reasons were for terminating such an effective, cost-saving program; and I am pleased that Congress is taking action to reinstate it.

H.R. 1460 also includes a provision of H.R. 241, which removes the time limitation on accrued benefits paid to the families of veterans who died while a claim for veterans benefits is pending. I have veterans in my district in Maine with claims which have been pending for many years. I hope none of them passes away while waiting for a decision. Should they do so, I want their families to see the full retroactive benefit to which the veteran is entitled.

I urge all Members to support this bill.

Finally, Mr. Speaker, I note with sadness the passing of a long-time friend of this Nation's veterans and former chair of our committee, Bob Stump. Although I did not have the opportunity to work with Mr. Stump, I appreciate the legacy of bipartisan cooperation he has left with the Committee on Veterans Affairs, similar to the gentleman from New Jersey (Chairman SMITH).

I would like to extend my sympathy and that of all members of this body to his wife and his children.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Arizona (Mr. RENZI), the author of the bill.

Mr. RENZI. Mr. Speaker, I too want to share the words and the memories of Congressman Bob Stump. I am privileged to serve a major portion of the district in Arizona that he served so greatly for many, many years and more so, to learn more about him through the experience of his staff members who now work for me here in Washington. In addition, what I have learned greatly with serving with the Committee on Veterans Affairs under his mentorship and leadership has been a great influence on me.

I thank the gentleman from New Jersey (Mr. SMITH) for those words, and to the gentleman from Maine (Mr. MICHAUD) I am also grateful. I will pass those on at the ceremony honoring Bob Stump this Wednesday in Arizona.

□ 1500

Mr. Speaker, I am pleased to stand here today in support of the thousands of service-disabled veteran small business owners across the Nation who want to do business with the Federal Government. The distinguished members of our community and the successful small businesses are an integral part of the backbone of our economy; the same economy they fought for so bravely; the same economy that they gave their personal sacrifice to preserve and protect.

I want to thank the gentleman from New Jersey (Mr. SMITH), the chairman, because it is he who saw this many years ago and helped pull together the various portions of this legislation to build a bill that the gentleman from Illinois (Mr. EVANS), the ranking member, has supported, the gentleman from Illinois (Mr. MANZULLO), the gentleman from New York (Ms. VELÁZQUEZ), and also our distinguished ranking member on the subcommittee, the gentleman from Maine (Mr. MICHAUD). I also want to thank the gentleman from South Carolina (Mr. BROWN) for allowing me to move forward this legislation, though it came under jurisdiction of his committee, and I especially want to thank the Committee on Veterans Affairs staff for their leadership and guidance in developing this legislation. They put a lot of hours into making this bill a reality.

This bill is a first step in improving our current practice of contracting opportunities, and I look forward to working with the Committee on Veterans Affairs in the future and with the Committee on Small Business to further extend these small business opportunities.

Our purpose in introducing this legislation was to give service-disabled business owners and Federal contractors the tools they need to meet the government-wide statutory goal of 3 percent established in Public Law 106-50. When the Committee on Veterans Affairs held an oversight hearing chaired by our committee chairman, the gentleman from New Jersey (Mr. SMITH), on February 5, the state of veterans entrepreneurship program was discouraging to hear. In many cases, there were only several agencies that had Federal contracts with any of our service-disabled veterans and many did not even reach 1 percent. This is unacceptable and our veterans deserve better.

This bill sets out to lift these barriers that have denied service-disabled veterans the opportunities to fully participate in Federal contracting, and we are morally bound to promote the successful employment of those who have borne the battle and bear the scars of freedom for all Americans.

For the first time, this legislation, H.R. 1460, will allow veterans to use the Montgomery GI bill to educate themselves and to take entrepreneurial courses from small business centers. The National Veterans Business Development Centers Corporation will also be included in their ability to teach many of our veterans. This gives veterans the business education and training they need to successfully operate small businesses, and it is a real investment towards improving our economy and our veterans' livelihood.

Secondly, we recognize certified small business owners as a source of Federal procurement programs. Service-disabled veterans have a tougher journey ahead of them when they re-

turn from duty with a disability, and these veterans are comprised of individuals of all races and both genders. Veterans have earned the right to compete for contracts on the same level as other classes of individuals.

We hope that in the future those who have served within the Department of Defense and have provided homeland security will also have a priority in contracting with DOD and the Department of Homeland Security.

Small business-contracting Federal officers will note that Public Law 106-50 directed the creation of a database of small businesses that have identified themselves as being owned by service-disabled American veterans. This has been a labor intensive task, and I commend the Department of Veterans Affairs for their progress in realizing this effort. It is critically important that our Federal contractors have access to this information and be able to identify veteran-owned businesses that qualify for prime and subcontractor awards.

This legislation is a beginning. This tool can be used by veteran contracting officers to find service-disabled veteran businesses and help them achieve the statutory goal of 3 percent.

I want to thank again the gentleman from New Jersey (Mr. SMITH) for his leadership and his kindness towards me and generosity. I thank everyone on the Committee on Veterans Affairs, and I hope disabled American veterans will find a way now to help grow their businesses and prosper.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself an additional minute.

I again want to thank my friends on the other side of the aisle for their good hard work on this legislation, and I especially want to thank the extraordinary work by the author of it, the gentleman from Arizona (Mr. RENZI). This is a bill that will help so many of our veterans who are service-connected disabled who are in the business realm to get the kind of government contracts that they are deserving of and hopefully will lead to greater wealth and a capability on their part to provide for their families and for their loved ones.

This is a good bill. It is pro-business, it is pro-veteran, and it deserves the support of everybody in this Chamber.

Mr. Speaker, again, I want to thank our subcommittee chairman, the gentleman from South Carolina (Mr. BROWN), and again, the gentleman from Maine (Mr. MICHAUD), who is the ranking member, for their work on this bill, for marking it up and bringing it forward to the full committee where we marked it up and passed it unanimously.

Mr. EVANS. Mr. Speaker, I support H.R. 1460, the Veterans' Entrepreneurship and Benefits Improvement Act of 2003 and urge passage by this Chamber. I would like to thank CHRIS SMITH, chairman of the full com-

mittee, the Benefits Subcommittee chairman, HENRY BROWN and ranking member, MICHAEL MICHAUD, for their hard work in bringing this legislation to the floor. I also want to acknowledge the contributions of DON MANZULLO and NYDIA VELÁZQUEZ, chairman and ranking member of the House Small Business Committee, along with their respective staffs for assisting us in crafting this legislation.

I am proud to be an original cosponsor of this bill as it provides increased opportunities for veterans to develop their entrepreneurial skills and become successful small business owners. Mr. Speaker, H.R. 1460 is a good bill and a step in the right direction with respect to its small business contracting provisions. The Federal Government engages in procurement contracts of up to \$235 billion a year. Surely, service-disabled veteran small business owners deserve an opportunity to participate in this system.

Section 2 authorizes the use of VA education assistance to pay for nondegree and noncredit business courses at approved institutions. This provision should expand the educational and training opportunities for service-disabled veterans.

Section 3 authorizes Federal agency contracting officers to create sole source and restricted competition contracts for "certified" service-disabled veteran small business owners; requires the collection of relevant data and a report to Congress on service-disabled small business owners; and establishes a 4-year pilot program at the Department of Veterans Affairs through which service-disabled veteran small business owners would receive equal priority among all small business programs.

Section 4 is derived from a bill, H.R. 761, which I introduced. It would allow servicemembers to apply for and receive a grant for specially adapted housing while still in military service. This legislation was prompted by reports of seriously disabled servicemembers having to remain hospitalized until they were discharged from military services because they could not obtain a grant for specially adapted housing until after leaving military service. Without such a grant they were unable to obtain accessible housing. There is no question that these servicemembers will be discharged from military service. In order to qualify for the specially adapted housing grant, severe disabilities incompatible with continued military service are required. I hope that the Senate will act quickly to pass this legislation. I do not want to see severely disabled servicemembers from the recent Iraq war unnecessarily hospitalized due to the lack of accessible housing.

Section 5 reinstates the VA's vendee loan program. The vendee loan program is a successful program that allows VA to finance loans to a new veteran or non-veteran purchaser when the prior loan has been foreclosed upon and VA has received the property. By allowing vendee loans, the VA is able to sell the property more quickly and at a higher cost than is possible with conventional financing. VA abruptly ended this program earlier this year. I strongly favor its reinstatement.

Finally, section 6 would allow a surviving spouse or dependent children to receive accrued benefits if the veteran dies while a claim for VA periodic monetary benefits is being processed. Currently there is a 2-year time

limit on the retroactive period. I have introduced legislation to allow family members to continue the claims of veterans who die while a claim is pending. This provision is a good first step. The government should not be allowed to deny retroactive payments when the government's inaction is responsible for delayed adjudication of a claim.

Again, I thank my colleagues on the Veterans' Affairs Committee for their hard work and I urge my colleagues to vote to pass this legislation.

Mr. BROWN of South Carolina. Mr. Speaker, as an original sponsor of H.R. 1460, as amended, the "Veterans Entrepreneurship and Benefits Improvement Act of 2003. I encourage my colleagues to support this legislation. I commend representative RENZI, Chairman SMITH and Ranking Member EVANS of the Committee on Veterans Affairs, and Chairman MANZULLO and Ranking Member VELÁZQUEZ of the Small Business Committee for bringing this important legislation to the floor for consideration.

I especially want to comment on sections two and three of the bill.

Section two would allow veterans, disabled veterans, dependents of totally disabled or deceased veterans, and active-duty members of the Selected Reserve to use their VA benefits to pursue pre-entrepreneurship and entrepreneurship courses offered under the auspices of Small Business Development Centers and the National Veterans Business Development Corporation. Small businesses in the last decade accounted for about 70 percent of the new jobs created in our economy.

The men and women who have served in our military indeed are engaging and resourceful individuals. Indeed, the 1999 report of the bipartisan Congressional Commission on Servicemembers and Veterans Transition Assistance found the following: "a 5-year profile survey of veteran-owned businesses in Massachusetts conducted in the late 1980's and early 1990's showed that a pool of approximately 2,000 veterans engaged in micro businesses generated \$74 million in taxable income for the Commonwealth of Massachusetts." And that is just in one state. With the availability of training under this bill, more veterans will be able to obtain the skills they need to start and grow their own small businesses. As Deputy Secretary of Veterans Affairs, Dr. Leo S. Mackay, Jr. testified at our April 30th hearing, "the potential for positive effects on the economy, with enhanced competition and creativity within the marketplace, is significant."

Section three of the bill would place disabled veteran-owned and controlled small businesses on a par with socially and economically disadvantaged veterans in the 8(a) contracting program for procurement contracts offered by the Department of Veterans Affairs for the next four years. This authority would apply to "setaside" and restricted competition contracts to be applied by contracting officers on a discretionary basis. For all Federal agencies, disabled veteran-owned and controlled small businesses would rank ahead of HUBZone and women-owned businesses in procurement preferences, but behind the 8(a) program. I find these types of preference as a needed 'first step' because of two additional findings of the Transition Commission: first, "Disabled-veteran entrepreneurs require additional assistance because these business

owners encounter costs and impediments that are not factors for their non-disabled competitors. Second, as a matter of fundamental fairness, Congress should accord veterans a full opportunity to participate in the economic system that their service sustains."

Lastly, Mr. Speaker, I would note for the RECORD that the current independent Task Force for Veterans Entrepreneurship, the aforementioned Transition Commission, the 1981 expert report of the SBA Veterans Project, and the 1980 White House Conference on Small Business all recommended some type of federal "setaside" authority for disabled-veteran owned and controlled small businesses in the purchase of goods and services.

I encourage my colleagues to support this legislation.

Mr. REYES. Mr. Speaker, I rise in support of H.R. 1460. The provisions of this legislation remove barriers to small business ownership for veterans. H.R. 1460 allows veterans to use their education benefits to pay for non-degree or non-credit courses of entrepreneurship, enabling them to learn the skills that they will need when starting and running their own businesses. The bill additionally amends the Small Business Act to give small businesses owned by service disabled veterans the opportunity to secure sole source contracts from the Federal Government. By giving those participating in a veteran's rehabilitation program the chance to name self-employment as their vocational goal, H.R. 1460 makes entrepreneurship a viable career option for many for whom it was not before.

The passage of this legislation would mean a lot for those veterans who, like so many other Americans, dream of working for themselves. The opportunities that H.R. 1460 provides for self-employment are especially meaningful when salaried jobs can be so difficult to find. Large numbers of veterans live in my home district of El Paso, Texas where we unfortunately also have a high unemployment rate. A community like mine is a prime example of why we must provide veterans with the tools they need to become successful entrepreneurs. I urge my colleagues to join me in supporting this bipartisan legislation.

Mr. SMITH of New Jersey. Mr. Speaker, I have no further requests for time, and I yield back the balance of our time.

The SPEAKER pro tempore (Mr. ADERHOLT). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 1460, as amended.

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

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas-and-nays.

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

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that

all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1460, as amended.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 3 o'clock and 6 minutes p.m.), the House stood in recess until approximately 6:30 p.m. today.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CULBERSON) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on four motions to suspend the rules previously postponed.

Votes will be taken in the following order:

- H. Res. 264, by the yeas and nays;
- H. Res. 177, by the yeas and nays;
- H. Con. Res. 209, by the yeas and nays; and
- H.R. 2465, by the yeas and nays.

Proceedings on H.R. 1460 will resume tomorrow.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

EXPRESSING SYMPATHY FOR VICTIMS OF ALGERIAN EARTHQUAKE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 264.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. GREEN) that the House suspend the rules and agree to the resolution, H. Res. 264, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 382, nays 1, not voting 51, as follows:

[Roll No. 297]
YEAS—382

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| Abercrombie | Baca | Barrett (SC) |
| Ackerman | Bachus | Bartlett (MD) |
| Aderholt | Baird | Barton (TX) |
| Akin | Baker | Bass |
| Alexander | Baldwin | Beauprez |
| Allen | Ballance | Becerra |
| Andrews | Ballenger | Bell |

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| Bereuter | Ford | Manzullo | Schrock | Stenholm | Visclosky | [Roll No. 298] | | |
| Berkley | Frank (MA) | Markey | Scott (GA) | Strickland | Vitter | | | |
| Berry | Franks (AZ) | Marshall | Scott (VA) | Stupak | Walden (OR) | | | |
| Biggett | Frelinghuysen | Matheson | Sensenbrenner | Sweeney | Walsh | Abercrombie | Doggett | King (NY) |
| Bilirakis | Frost | Matsui | Serrano | Tancredo | Wamp | Ackerman | Dooley (CA) | Kingston |
| Bishop (GA) | Galleghy | McCarthy (MO) | Sessions | Tanner | Waters | Aderholt | Doyle | Kleccka |
| Bishop (NY) | Garrett (NJ) | McCarthy (NY) | Shadegg | Tauscher | Watson | Akin | Dreier | Kline |
| Bishop (UT) | Gerlach | McCollum | Shaw | Tauzin | Watt | Alexander | Duncan | Knollenberg |
| Blackburn | Gibbons | McCotter | Sherman | Taylor (MS) | Waxman | Allen | Dunn | Kucinich |
| Blumenauer | Gilchrest | McCrery | Sherwood | Terry | Weldon (PA) | Andrews | Edwards | LaHood |
| Blunt | Gillmor | McDermott | Shuster | Thomas | Weller | Baca | Ehlers | Lampson |
| Boehrlert | Gingrey | McGovern | Simmons | Thompson (CA) | Wexler | Bachus | Emanuel | Lantos |
| Boehner | Gonzalez | McHugh | Skelton | Thompson (MS) | Whitfield | Baird | Emerson | Larsen (WA) |
| Bonilla | Goode | McInnis | Slaughter | Thornberry | Wicker | Baker | Engel | Larsen (CT) |
| Bonner | Goodlatte | McIntyre | Smith (MI) | Tiberi | Wilson (NM) | Baldwin | English | Latham |
| Bono | Gordon | McKeon | Smith (NJ) | Tierney | Wilson (SC) | Ballance | Eshoo | LaTourette |
| Boozman | Goss | McNulty | Smith (TX) | Towns | Wolf | Ballenger | Etheridge | Leach |
| Boswell | Granger | Meehan | Snyder | Turner (OH) | Woolsey | Barrett (SC) | Evans | Lee |
| Boucher | Graves | Meek (FL) | Solis | Turner (TX) | Wu | Bartlett (MD) | Everett | Levin |
| Boyd | Green (TX) | Meeks (NY) | Souder | Udall (CO) | Wynn | Barton (TX) | Farr | Lewis (CA) |
| Bradley (NH) | Green (WI) | Mica | Spratt | Udall (NM) | Young (AK) | Bass | Fattah | Lewis (GA) |
| Brady (PA) | Greenwood | Michaud | Stark | Upton | Young (FL) | Beauprez | Ferguson | Lewis (KY) |
| Brady (TX) | Grijalva | Millender- | Stearns | Van Hollen | | Becerra | Filner | Linder |
| Brown (OH) | Gutierrez | McDonald | | | | Bell | Flake | LoBiondo |
| Brown (SC) | Gutknecht | Miller (FL) | | | | Bereuter | Foley | Lucas (KY) |
| Brown-Waite, | Hall | Miller (MI) | | | | Berkley | Forbes | Lynch |
| Ginny | Harman | Miller (NC) | | | | Berry | Ford | Majette |
| Burgess | Harris | Miller, Gary | | | | Biggett | Franks (AZ) | Maloney |
| Burns | Hart | Miller, George | | | | Bilirakis | Frelinghuysen | Manzullo |
| Burr | Hastings (FL) | Moore | | | | Bishop (GA) | Frost | Markey |
| Buyer | Hastings (WA) | Moran (KS) | | | | Bishop (NY) | Galleghy | Marshall |
| Calvert | Hayes | Moran (VA) | | | | Bishop (UT) | Garrett (NJ) | Matheson |
| Camp | Hayworth | Murphy | | | | Blackburn | Gerlach | Matsui |
| Cannon | Hefley | Murtha | | | | Blumenauer | Gibbons | McCarthy (MO) |
| Cantor | Hensarling | Musgrave | | | | Blunt | Gilchrest | McCarthy (NY) |
| Capito | Herger | Myrick | | | | Boehrlert | Gillmor | McCollum |
| Capps | Hill | Napolitano | | | | Boehner | Gingrey | McCotter |
| Cardin | Hinches | Neal (MA) | | | | Bonilla | Gonzalez | McCrery |
| Cardoza | Hinojosa | Neugebauer | | | | Bonner | Goode | McDermott |
| Carson (IN) | Hobson | Ney | | | | Bono | Goodlatte | McGovern |
| Carson (OK) | Hoeffel | Norwood | | | | Boozman | Gordon | McHugh |
| Carter | Hoekstra | Nunes | | | | Boswell | Goss | McInnis |
| Case | Holden | Nussle | | | | Boucher | Granger | McIntyre |
| Castle | Holt | Oberstar | | | | Boyd | Graves | McKeon |
| Chabot | Honda | Obey | | | | Bradley (NH) | Green (TX) | McNulty |
| Chocola | Hooley (OR) | Olver | | | | Brady (PA) | Green (WI) | Meehan |
| Clay | Hostettler | Ortiz | | | | Brady (TX) | Greenwood | Meek (FL) |
| Clyburn | Hoyer | Osborne | | | | Brown (OH) | Grijalva | Mica |
| Coble | Hunter | Ose | | | | Brown (SC) | Gutierrez | Michaud |
| Cole | Hyde | Otter | | | | Brown-Waite, | Gutknecht | Millender- |
| Collins | Insee | Owens | | | | Ginny | Hall | McDonald |
| Cooper | Isakson | Oxley | | | | Burgess | Harman | Miller (FL) |
| Costello | Israel | Pascrell | | | | Burns | Harris | Miller (MI) |
| Cox | Issa | Pastor | | | | Burr | Hart | Miller (NC) |
| Crane | Jackson (IL) | Pearce | | | | Buyer | Hastings (FL) | Miller, Gary |
| Crenshaw | Jackson-Lee | Pelosi | | | | Calvert | Hastings (WA) | Miller, George |
| Cubin | (TX) | Pence | | | | Camp | Hayes | Moore |
| Culberson | Janklow | Peterson (MN) | | | | Cannon | Hayworth | Moran (KS) |
| Cummings | Jenkins | Peterson (PA) | | | | Cantor | Hefley | Moran (VA) |
| Cunningham | John | Petri | | | | Capito | Hensarling | Murphy |
| Davis (FL) | Johnson (CT) | Pickering | | | | Capps | Herger | Murtha |
| Davis (IL) | Johnson (IL) | Pitts | | | | Cardin | Hill | Musgrave |
| Davis (TN) | Johnson, E. B. | Platts | | | | Cardoza | Hinches | Myrick |
| Davis, Jo Ann | Johnson, Sam | Pombo | | | | Carson (IN) | Hinojosa | Napolitano |
| Davis, Tom | Jones (NC) | Porter | | | | Carson (OK) | Hobson | Neal (MA) |
| DeFazio | Jones (OH) | Portman | | | | Carter | Hoeffel | Neugebauer |
| DeGette | Kanjorski | Price (NC) | | | | Case | Hoekstra | Ney |
| Delahunt | Kaptur | Putnam | | | | Castle | Holden | Norwood |
| DeLauro | Keller | Quinn | | | | Chabot | Holt | Nunes |
| DeLay | Kelly | Radanovich | | | | Chocola | Hooley (OR) | Nussle |
| Deutsch | Kennedy (MN) | Rahall | | | | Clay | Hostettler | Oberstar |
| Diaz-Balart, L. | Kennedy (RI) | Ramstad | | | | Clyburn | Hoyer | Obey |
| Diaz-Balart, M. | Kildee | Rangel | | | | Coble | Hunter | Olver |
| Dicks | Kind | Regula | | | | Cole | Hyde | Ortiz |
| Dingell | King (IA) | Rehberg | | | | Collins | Insee | Osborne |
| Doggett | King (NY) | Renzi | | | | Cooper | Isakson | Ose |
| Dooley (CA) | Kingston | Reyes | | | | Costello | Israel | Otter |
| Doolittle | Kleccka | Reynolds | | | | Cox | Issa | Owens |
| Doyle | Kline | Rodriguez | | | | Crane | Jackson (IL) | Oxley |
| Dreier | Knollenberg | Rogers (AL) | | | | Crenshaw | Jackson-Lee | Pascrell |
| Duncan | Kucinich | Rogers (MI) | | | | Cubin | (TX) | Pastor |
| Dunn | LaHood | Rohrabacher | | | | Culberson | Janklow | Paul |
| Edwards | Lampson | Ross | | | | Cummings | Jenkins | Pearce |
| Ehlers | Lantos | Rothman | | | | Cunningham | John | Pelosi |
| Emanuel | Larsen (WA) | Roybal-Allard | | | | Davis (FL) | Johnson (CT) | Pence |
| Emerson | Latham | Royce | | | | Davis (IL) | Johnson (IL) | Peterson (MN) |
| Engel | LaTourette | Ruppersberger | | | | Davis (TN) | Johnson, E. B. | Peterson (PA) |
| English | Leach | Rush | | | | Davis, Jo Ann | Johnson, Sam | Petri |
| Eshoo | Lee | Ryan (OH) | | | | Davis, Tom | Jones (NC) | Pickering |
| Etheridge | Levin | Ryan (WI) | | | | DeFazio | Jones (OH) | Pitts |
| Evans | Lewis (CA) | Ryun (KS) | | | | DeGette | Kanjorski | Platts |
| Everett | Lewis (GA) | Sabo | | | | Delahunt | Kaptur | Pombo |
| Farr | Lewis (KY) | Sanchez, Linda | | | | DeLauro | Keller | Porter |
| Fattah | Linder | T. | | | | DeLay | Kelly | Portman |
| Ferguson | LoBiondo | Sanchez, Loretta | | | | Deutsch | Kennedy (MN) | Price (NC) |
| Filner | Lucas (KY) | Sandlin | | | | Diaz-Balart, L. | Kennedy (RI) | Putnam |
| Flake | Lynch | Saxton | | | | Diaz-Balart, M. | Kildee | Quinn |
| Foley | Majette | Schakowsky | | | | Dicks | Kind | Radanovich |
| Forbes | Maloney | Schiff | | | | Dingell | King (IA) | Rahall |

NAYS—1

Paul

NOT VOTING—51

Berman Istook Payne
 Brown, Corrine Jefferson Pomeroy
 Burton (IN) Kilpatrick Pryce (OH)
 Capuano Kirk Rogers (KY)
 Conyers Kolbe Ros-Lehtinen
 Cramer Langevin Sanders
 Crowley Larson (CT) Shays
 Davis (AL) Lipinski Shimkus
 Davis (CA) Lofgren Simpson
 Deal (GA) Lowey Smith (WA)
 DeMint Lucas (OK) Sullivan
 Feeney Menendez Taylor (NC)
 Fletcher Mollohan Tiahrt
 Fossella Nadler Toomey
 Gephardt Nethercutt Velazquez
 Houghton Northup Weiner
 Hulshof Pallone Weldon (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CULBERSON) (during the vote). The Chair would advise Members they have 2 minutes in which to record their vote.

□ 1853

Mr. MCINNIS and Mr. MOORE changed their vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMENDING PEOPLE OF THE REPUBLIC OF KENYA FOR CONDUCTING FREE AND FAIR ELECTIONS AND PEACEFUL AND ORDERLY TRANSFER OF POWER

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 177, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. GREEN) that the House suspend the rules and agree to the resolution, H. Res. 177, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

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

Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda
T.
Sanchez, Loretta
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner

Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shuster
Simmons
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)

Thornberry
Tiberi
Tierney
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—54

Berman
Brown, Corrine
Burton (IN)
Capuano
Conyers
Cramer
Crowley
Davis (AL)
Davis (CA)
Deal (GA)
DeMint
Doolittle
Feeney
Fletcher
Fossella
Frank (MA)
Gephardt
Honda

Houghton
Hulshof
Istook
Jefferson
Kilpatrick
Kirk
Kolbe
Langevin
Lipinski
Lofgren
Lowey
Lucas (OK)
Meeks (NY)
Menendez
Mollohan
Nadler
Nethercutt
Northup

Pallone
Payne
Pomeroy
Pryce (OH)
Rogers (KY)
Ros-Lehtinen
Sanders
Shays
Shimkus
Simpson
Smith (WA)
Sullivan
Taylor (NC)
Tiahrt
Toomey
Velazquez
Weiner
Weldon (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised they have 2 minutes in which to record their votes.

□ 1900

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HONDA. Mr. Speaker, on rollcall No. 298, had I been present, I would have voted "yea."

COMMENDING THE SIGNING OF THE UNITED STATES-ADRIATIC CHARTER

The SPEAKER pro tempore (Mr. CULBERSON). The pending business is the question of suspending the rules and agreeing to the resolution, H. Con. Res. 209, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. GREEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 209, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.
The vote was taken by electronic device, and there were—yeas 381, nays 1, not voting 52, as follows:

[Roll No. 299]

YEAS—381

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Bereuter
Berkley
Berry
Biggart
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite,
Ginny
Burgess
Burns
Burr
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Clay
Clyburn
Coble
Cole
Collins
Cooper
Costello
Cox
Crane
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
DeLahunt
DeLauro
DeLay

Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Foley
Forbes
Ford
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrist
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Hoyer
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee
(TX)
Janklow
Jenkins
John
Johnson (CT)
Johnson (IL)

Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kingston
Klecicka
Kline
Knollenberg
Kucinich
LaHood
Lampson
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Michaud
Millender-
McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Napolitano
Neal (MA)
Neugebauer
Ney
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pascrell
Pastor

Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Price (NC)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Simmons
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo

Sanchez, Linda
T.
Sanchez, Loretta
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shuster
Simmons
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)

Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tierney
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weldon (PA)
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul
NOT VOTING—52

Berman
Brown, Corrine
Burton (IN)
Capuano
Conyers
Cramer
Crowley
Davis (AL)
Davis (CA)
Deal (GA)
DeMint
Doolittle
Feeney
Fletcher
Fossella
Gephardt
Houghton
Hulshof
Istook

Jefferson
Kilpatrick
Kirk
Kolbe
Langevin
Lipinski
Lofgren
Lowey
Lucas (OK)
McDermott
Menendez
Mollohan
Nadler
Nethercutt
Northup
Pallone
Payne
Pomeroy

Pryce (OH)
Rogers (KY)
Ros-Lehtinen
Sanders
Shays
Shimkus
Simpson
Smith (WA)
Sullivan
Taylor (NC)
Tiahrt
Toomey
Velazquez
Weiner
Weldon (FL)
Weller

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised they have 2 minutes in which to record their votes.

□ 1908

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FAMILY FARMER BANKRUPTCY ACT OF 2003

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2465.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 2465, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 379, nays 3, not voting 52, as follows:

[Roll No. 300]

YEAS—379

| | | |
|---------------|-----------------|----------------|
| Abercrombie | Diaz-Balart, L. | Jones (OH) |
| Ackerman | Diaz-Balart, M. | Kanjorski |
| Aderholt | Dicks | Kaptur |
| Akin | Dingell | Keller |
| Alexander | Doggett | Kelly |
| Allen | Dooley (CA) | Kennedy (MN) |
| Andrews | Doolittle | Kennedy (RI) |
| Baca | Doyle | Kildee |
| Bachus | Dreier | Kind |
| Baird | Duncan | King (IA) |
| Baker | Dunn | King (NY) |
| Baldwin | Edwards | Kingston |
| Ballance | Ehlers | Klecza |
| Ballenger | Emanuel | Kline |
| Barrett (SC) | Emerson | Knollenberg |
| Bartlett (MD) | Engel | Kucinich |
| Barton (TX) | English | LaHood |
| Bass | Eshoo | Lampson |
| Beauprez | Etheridge | Lantos |
| Becerra | Evans | Larsen (WA) |
| Bell | Everett | Larson (CT) |
| Bereuter | Farr | Latham |
| Berkley | Fattah | LaTourette |
| Berry | Ferguson | Leach |
| Biggert | Filner | Lee |
| Billrakis | Foley | Levin |
| Bishop (GA) | Forbes | Lewis (CA) |
| Bishop (NY) | Ford | Lewis (GA) |
| Bishop (UT) | Frank (MA) | Lewis (KY) |
| Blackburn | Franks (AZ) | Linder |
| Blumenauer | Frelinghuysen | LoBiondo |
| Blunt | Frost | Lucas (KY) |
| Boehlert | Gallely | Lynch |
| Boehner | Garrett (NJ) | Majette |
| Bonilla | Gerlach | Maloney |
| Bonner | Gibbons | Manzullo |
| Bono | Gilchrest | Markey |
| Boozman | Gillmor | Marshall |
| Boswell | Gingrey | Matheson |
| Boucher | Gonzalez | Matsui |
| Boyd | Goode | McCarthy (MO) |
| Brady (PA) | Goodlatte | McCarthy (NY) |
| Brady (TX) | Gordon | McCollum |
| Brown (OH) | Goss | McCotter |
| Brown (SC) | Granger | McCreery |
| Brown-Waite, | Graves | McDermott |
| Ginny | Green (TX) | McGovern |
| Burgess | Green (WI) | McHugh |
| Burns | Greenwood | McInnis |
| Burr | Grijalva | McIntyre |
| Buyer | Gutierrez | McKeon |
| Calvert | Gutknecht | McNulty |
| Camp | Hall | Meehan |
| Cannon | Harman | Meek (FL) |
| Cantor | Harris | Meeks (NY) |
| Capito | Hart | Mica |
| Capps | Hastings (FL) | Michaud |
| Cardin | Hastings (WA) | Millender- |
| Cardoza | Hayes | McDonald |
| Carson (IN) | Hayworth | Miller (FL) |
| Carson (OK) | Hefley | Miller (MI) |
| Carter | Hensarling | Miller (NC) |
| Case | Herger | Miller, Gary |
| Castle | Hill | Miller, George |
| Chabot | Hinchey | Moore |
| Chocola | Hinojosa | Moran (KS) |
| Clay | Hobson | Moran (VA) |
| Clyburn | Hoefel | Murphy |
| Coble | Hoekstra | Murtha |
| Cole | Holden | Musgrave |
| Collins | Holt | Myrick |
| Cooper | Honda | Napolitano |
| Costello | Hooley (OR) | Neal (MA) |
| Cox | Hostettler | Neugebauer |
| Crane | Hoyer | Ney |
| Crenshaw | Hunter | Norwood |
| Cubin | Hyde | Nunes |
| Culberson | Inslee | Nussle |
| Cummings | Isakson | Oberstar |
| Cunningham | Israel | Obey |
| Davis (FL) | Issa | Olver |
| Davis (IL) | Jackson (IL) | Ortiz |
| Davis (TN) | Jackson-Lee | Osborne |
| Davis, Jo Ann | (TX) | Ose |
| Davis, Tom | Jenkins | Otter |
| DeFazio | John | Owens |
| DeGette | Johnson (CT) | Oxley |
| Delahunt | Johnson (IL) | Pascrell |
| DeLauro | Johnson, E. B. | Pastor |
| DeLay | Johnson, Sam | Pearce |
| Deutsch | Jones (NC) | Pelosi |

| | | |
|----------------|------------------|---------------|
| Pence | Sanchez, Loretta | Terry |
| Peterson (MN) | Sandlin | Thomas |
| Peterson (PA) | Saxton | Thompson (CA) |
| Petri | Schakowsky | Thompson (MS) |
| Pickering | Schiff | Thornberry |
| Pitts | Schrock | Tiberi |
| Platts | Scott (GA) | Tierney |
| Pombo | Scott (VA) | Towns |
| Porter | Sensenbrenner | Turner (OH) |
| Portman | Serrano | Turner (TX) |
| Price (NC) | Sessions | Udall (CO) |
| Putnam | Shadegg | Udall (NM) |
| Quinn | Shaw | Upton |
| Radanovich | Sherman | Van Hollen |
| Rahall | Sherwood | Visclosky |
| Ramstad | Shuster | Vitter |
| Rangel | Simmons | Walden (OR) |
| Regula | Skelton | Walsh |
| Rehberg | Slaughter | Wamp |
| Renzi | Smith (MI) | Waters |
| Reyes | Smith (NJ) | Watson |
| Reynolds | Smith (TX) | Watt |
| Rodriguez | Snyder | Waxman |
| Rogers (AL) | Solis | Weldon (PA) |
| Rogers (MI) | Souder | Weller |
| Ross | Spratt | Wexler |
| Rothman | Stark | Whitfield |
| Roybal-Allard | Stearns | Wicker |
| Royce | Steinholm | Wilson (NM) |
| Ruppersberger | Strickland | Wilson (SC) |
| Rush | Stupak | Wolf |
| Ryan (OH) | Sweeney | Woolsey |
| Ryan (WI) | Tancredo | Wu |
| Ryun (KS) | Tanner | Wynn |
| Sabo | Tauscher | Young (AK) |
| Sanchez, Linda | Tauzin | Young (FL) |
| T. | Taylor (MS) | |

NAYS—3

Flake Paul Rohrabacher

NOT VOTING—52

| | | |
|----------------|------------|--------------|
| Berman | Istook | Pomeroy |
| Bradley (NH) | Janklow | Pryce (OH) |
| Brown, Corrine | Jefferson | Rogers (KY) |
| Burton (IN) | Kilpatrick | Ros-Lehtinen |
| Capuano | Kirk | Sanders |
| Conyers | Kolbe | Shays |
| Cramer | Langevin | Shimkus |
| Crowley | Lipinski | Simpson |
| Davis (AL) | Lofgren | Smith (WA) |
| Davis (CA) | Lowey | Sullivan |
| Deal (GA) | Lucas (OK) | Taylor (NC) |
| DeMint | Menendez | Tiahrt |
| Feeney | Mollohan | Toomey |
| Fletcher | Nadler | Velazquez |
| Fossella | Nethercutt | Weiner |
| Gephardt | Northup | Weldon (FL) |
| Houghton | Pallone | |
| Hulshof | Payne | |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised they have 2 minutes in which to cast their vote.

□ 1914

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, I was unavoidably detained today. Had I been present for legislative business, I would have voted "yea" on the following measures under consideration of suspension of the rules, H. Res. 264, H. Res. 177, H. Con. Res. 209, and H.R. 2465.

PERSONAL EXPLANATION

Mr. DEMINT. Mr. Speaker, I was absent during rollcalls 297, 298, 299, and 300. Had I been present, I would have voted "yea" on each of those rollcalls.

PERSONAL EXPLANATION

Mr. FLETCHER. Mr. Speaker, on Monday, June 23, 2003, I was unavoidably detained due to commercial plane mechanical problems. Had I been present for rollcall vote Nos. 297, 298, 299, and 300 I would have voted the following way: Rollcall vote No. 297, H. Res. 264—"Yea"; rollcall vote No. 298, H. Res. 177—"yea"; rollcall vote No. 299, H. Con. Res. 209—"yea"; rollcall vote No. 300, H.R. 2465—"yea".

PERSONAL EXPLANATION

Mr. LANGEVIN. Mr. Speaker, this evening, I was unavoidably detained and unable to vote on the following measures: H. Res. 264 (rollcall vote 297); H. Res. 177 (rollcall vote 298); H. Con. Res. 209 (rollcall vote 299), and H.R. 2465 (rollcall vote 300).

Had I been present, I would have voted "yea" on rollcall vote 297, "yea" on rollcall vote 298, "yea" on rollcall vote 299, and "yea" on rollcall vote 300.

□ 1915

REPORT ON H.R. 2559, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2004

Mr. KNOLLENBERG, from the Committee on Appropriations, submitted a privileged report (Rept. No. 108-173) on the bill (H.R. 2559) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. CULBERSON). Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

MOURNING THE PASSING OF FORMER ATLANTA MAYOR MAYNARD H. JACKSON

(Mr. BISHOP of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BISHOP of Georgia. Mr. Speaker, it is with deep regret that I must announce that this morning Maynard Holbrook Jackson, former Mayor of the City of Atlanta, a very prominent American, passed away. He was a great Georgian, a great American, and we will mourn his loss. Shakespeare wrote, "All the world's a stage and all the men and women many players. Each has its entrance and its exit. One man in his time may play many parts."

So it is with Maynard Jackson. Born in Texas, spending most of his life in Georgia, a lawyer, a father, a mayor extraordinaire, founder of the Georgia Association of Black Elected Officials, a very, very important historic figure in political annals for African Americans and for Americans.

It is with deep regret that we mourn his passing. We will on tomorrow night

have a special order so that we can pay due homage to a great American whom we loved so very much.

MOURNING THE PASSING OF HON.
MAYNARD H. JACKSON

(Mr. SCOTT of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCOTT of Georgia. Ladies and gentlemen of the House, this is indeed a sad day. Maynard Holbrook Jackson passed away with a severe heart attack that happened at Washington, D.C.'s Reagan National Airport this morning.

Maynard Jackson was a pioneer of soaring magnitude, not only in just the world of politics but in the world of business as well. It was his guiding influence that made the City of Atlanta a world class city. It was through his guidance that the Atlanta International Airport, which is now the world's busiest airport, was built. It was through his guidance and leadership that Atlanta became host to the 1996 Olympics, making it indeed a world class city.

We mourn his loss but indeed we celebrate an extraordinary life of significant and historic and legendary achievement. Not only was his mark on life for African Americans, for he was indeed a bridge-builder across racial lines at a time in Atlanta and in the South where we so desperately needed it.

Truly a giant in the forest has fallen this day. I know everybody in this House of Representatives, the Congress of the United States, joins with me in saying we thank God that he sent Maynard Holbrook Jackson our way. Truly a child of God and a sojourner of truth and righteousness and an extraordinarily great American, Maynard Holbrook Jackson.

MOURNING THE PASSING OF HON.
MAYNARD H. JACKSON

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. What a world of ironies. The day that the United States Supreme Court affirms the idea of race as a factor in equalizing opportunities for Americans and a warrior, a man of justice and equality, who stood fast in years before these contested issues came to the forefront, Maynard Holbrook Jackson, the former Mayor and Vice Mayor of the City of Atlanta, has lost his life.

Maynard Jackson was generous with his time. As a Representative from the State of Texas, might I acknowledge to my colleagues he was born in the great State of Texas. We sent him off to Atlanta, we bid him farewell, but he always remembered his roots and he never forgot his values, that of opportunity, that of fairness, that of the recognizing that business should be spread

amongst those coming from all walks of life.

We lost him today but his legacy and enthusiasm that he shared with America, that yes, those individuals who come with a different background can engage in business, too. He created equal opportunity in Atlanta that was not offensive. He gathered the corporate community together and they joined him enthusiastically in promoting opportunities for women and minorities. And yes, as a young college student, I was privileged to visit with Vice Mayor Maynard Jackson when I was doing my thesis about coalition politics in the Deep South. He did not hesitate to sit down with me and give me a history not only of his life but the great heroes that inspired him.

He is a great soldier, a great warrior, and now I would say, lay your head down, my gentle warrior, lay down and rest that you will never be forgotten. Your words, your deeds will always be remembered that you are a great American hero. God bless you and God bless your family.

ON THE DEATH OF FORMER ATLANTA
MAYOR MAYNARD JACKSON AND AFFIRMATIVE ACTION

(Ms. WATSON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WATSON. Mr. Speaker, I rise today to express my shock and sadness at the untimely passing of our dear friend, Maynard Jackson, former Mayor of Atlanta and one of our country's most charismatic political leaders. I also want to take this opportunity to remember Maynard's contribution to affirmative action on the day when the Supreme Court declared its support for the program.

Maynard was a giant of his time, a trailblazer and a dedicated public servant who became the inspiration for generations of African American politicians. His election in 1974 as the Mayor of Atlanta helped usher in a new movement of racial equality and a new process of interracial understanding and co-existence where the spirit of the civil rights movement was carried forward by victories at the ballot box.

Maynard will be remembered as the South's first big city African American mayor, but his legacy was much more than that. During his three terms as mayor, Maynard oversaw construction of the midfield terminal at Hartsfield Atlanta International Airport, established a cultural affairs department, brought the Olympics to Atlanta, and all the while gave voice to the city's in-town neighborhoods. Perhaps one of the most significant accomplishments of Maynard Jackson's tenure was his early support and leadership on affirmative action.

During his first term, Maynard instituted a groundbreaking affirmative action program that elevated the percentage of city contracts awarded to

minorities in Atlanta from less than 1 percent in 1973 to 38.6 percent 5 years later.

One of the great success stories of Maynard's affirmative action program was the creation of a joint venture between white and minority-owned businesses during the construction of the Atlanta airport. Working from a vision of inclusion, Maynard was able to unite various groups and interests in building one of the most complex airport terminals in the world ahead of schedule and within the budget.

It is particularly ironic, then, that Maynard passed away on the day that the Supreme Court issued its landmark ruling. In two successive votes, the Justices recognized that the most effective way to cure society of its exclusionary practices is to make special efforts at inclusion, which is exactly what affirmative action does.

We will never forget him. He will have a legacy that will live on forever in the United States of America.

There has always been affirmative action in public policy—but for many years it operated to exclude, rather than include, people of color. Affirmative action was put in place to not only encourage diversity, but to be a minor step in the direction of justice after hundreds of years of institutional and social discrimination against women and people of color in the United States.

Much of the opposition to affirmative action is framed on the grounds of so-called "reverse discrimination and unwarranted preferences." In fact, less than 2 percent of the 91,000 employment discrimination cases pending before the Equal Employment Opportunities Commission are reverse discrimination cases. Under the law as written in Executive Orders and interpreted by the courts, anyone benefitting from affirmative action must have relevant and valid job or educational qualifications.

Opponents of affirmative action also claim it is discriminatory. The problem with this myth is that it uses the same word—discrimination—to describe two very different things. Job discrimination is grounded in prejudice and exclusion, whereas affirmative action is an effort to overcome prejudicial treatment through inclusion. The most effective way to cure society of exclusionary practices is to make special efforts at inclusion, which is exactly what affirmative action does. When thinking about affirmative action policy, it is important to keep this principle in mind.

In fact, despite the progress that has been made, the playing field today is still far from level. Women continue to earn 76 cents for every dollar earned by a male. Black people continue to have twice the unemployment rate of white people, and graduate from college at half the rate of white people. In fact, without affirmative action the percentage of Black students at many selective schools would drop to only 2% of the total student body.

While I applaud the Court's decision today, our society still suffers from racial discrimination. It is unfortunate that after all these years we are still fighting an uphill battle for full inclusion into our nation's society.

However, we are fortunate to have had the civil rights movement and leaders like Maynard Jackson. In remembering Maynard, we must carry on his legacy and his commitment to never waver from equality for all.

MOURNING THE PASSING OF HON.
MAYNARD H. JACKSON

(Ms. CARSON of Indiana asked and was given permission to address the House for 1 minute.)

Ms. CARSON of Indiana. Mr. Speaker, I would like first to affirm what was said by the gentlewoman from California (Ms. WATSON), who so eloquently gave a very brief overview of the life and work of the Honorable Maynard Jackson. Maynard Jackson was perhaps one of the most profound individuals that I have met in a lifetime. He was very dedicated. He had a lot of energy. He had a lot of perseverance. He had a lot of vision. And indeed he was very spiritual.

As I sat there and heard the gentlewoman from California talk about him, I could not help but think about John the Revelator that sat on the lonely island of Patmos, looked at an old city but envisioned what was great for a new city, and then Maynard Jackson began to build a new city, Atlanta, Georgia, created millions of millionaires, did much to bring the city to the forefront. Maynard Jackson was a very unassuming individual, too. He followed scripture in terms of not boasting about himself but letting his light so shine by his good works.

He is an individual that I will never forget. He is a person that I know his family is in very great sorrow for. He was the son of a Baptist preacher, and so perhaps that explains some of the eloquence that Maynard Jackson had. But this country, not just Atlanta, not just his family but the whole country has indeed lost an incredible, a remarkable individual in that of the Honorable Maynard Jackson.

MOURNING THE PASSING OF HON.
MAYNARD H. JACKSON

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. Mr. Speaker, I rise to mourn the passing of Maynard Jackson. When I had the great privilege of serving as Mayor of the City of Cleveland, Maynard Jackson and I were contemporaries in his service as Mayor of the City of Atlanta. In working with him through the years and learning his dedication, not only to the people of Atlanta but urban America, I was able to see that there was a real opportunity for people of good will to achieve a synthesis of that good will, of urban policy, because Maynard Jackson made the cause of cities his cause and he spoke to the needs of the people of urban America eloquently, with deep passion and with a concern about the potential of urban America that was being ignored. But he infused the City of Atlanta with his own potential, and with his passion and with his heart he helped raise Atlanta to greater and greater heights.

Maynard Jackson was not only a servant of Atlanta and the State of

Georgia, but of America and the world because his life was about bringing people together and his life was about the potential of not only minorities but of every individual to make a dedication to community. So today, as Maynard Jackson passes, we can reflect on that wise Latin saying translated into English that says, "If you seek his monument, look around." And wherever you look, in urban America, where men and women are dedicated to building up cities, you are always going to remember and be reminded of Maynard Jackson.

□ 1930

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. CULBERSON). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

EXCHANGE OF SPECIAL ORDER
TIME

Mr. KELLER. Mr. Speaker, I ask unanimous consent to take the Special Order time of the gentleman from Indiana (Mr. BURTON).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida (Mr. KELLER)?

There was no objection.

SALUTING SHERIFF KEVIN BEARY

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

Mr. KELLER. Mr. Speaker, I rise this afternoon to salute one of the leaders in my hometown of Orlando, Florida, who has just been recognized as America's top cop. It is my happy privilege to announce to this Chamber that Orange County, Florida, Sheriff Kevin Beary is the winner of the 2003 National Sheriff of the Year award. I was pleased to personally recommend my friend Sheriff Beary for this award, and I did not say nice things about him just because every time I see him he is packing heat.

Kevin is the fourth generation of the Beary family who have selflessly devoted themselves to protecting others. He commands one of the largest law enforcement agencies in the southeastern United States. He is not only responsible for the safety of 1 million people who live in the central Florida area but for the millions of tourists

who visit places like Walt Disney World and Universal Studios in my district every year.

As a member of the House Crime, Terrorism and Homeland Security Subcommittee, I have relied heavily on his expert advice to help drive my law enforcement agenda. Sheriff Beary and I teamed up to protect the COPS program and put more police officers on the street. We have worked together to build a new Federal courthouse in downtown Orlando designed to embassy safety standards, and we have stood together shoulder to shoulder against casino gambling and the drug legalization movement in Florida. But I think most importantly we have worked together since the events of 9-11 to make sure that our first responders have the tools they need to protect the people of central Florida and the tourists who play in our backyard from those who would plot against our Nation.

Kevin Beary is everything a sheriff should be. He is a friend to our most vulnerable citizens. He is a tireless volunteer in our community, and frankly he scares the hell out of the bad guys who would prey on our neighborhoods. Love him or fear him, everyone in central Florida knows Kevin Beary means business; and in light of this prestigious award he has now received, everyone in America knows too.

When I have a question on an issue facing law enforcement before this Congress, the first thing I do is call my sheriff. I am pleased to have the 2003 National Sheriff of the Year Kevin Beary on my speed dial. I say to my colleagues they should all be so lucky.

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). Under a previous order of the House, the gentleman from New York (Mr. HINCHEY) is recognized for 5 minutes.

(Mr. HINCHEY addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

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

(Mr. GUTKNECHT addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

IN MEMORY OF MAYNARD
JACKSON

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

Mr. LEWIS of Georgia. Mr. Speaker, I rise today with a heavy heart to speak on the untimely passing of Maynard Hollbrook Jackson. I was blessed to know Maynard Jackson for almost 40 years. Maynard Jackson was a wonderful human being, a gifted, brilliant politician. He was the kind of individual who was not afraid to take risks. Maynard Jackson was always

getting in the way for the common good.

In 1968, moved by the assassination of Dr. Martin Luther King, Jr., and Robert Kennedy, he ran for the United States Senate in the Democratic primary against incumbent Senator Herman Talmadge. He later made history by becoming the first African American mayor of a major southern city. His leadership as vice mayor of Atlanta and later as mayor of Atlanta for three terms transformed our city into the gateway to the New South. As mayor, Maynard Jackson emerged as a role model for other big-city mayors and younger elected officials. We often heard, if Maynard Jackson can do it, so can we. His accomplishments created a greater sense of possibility, a greater sense of hope, a greater sense of optimism.

Mr. Speaker, it is so ironic and almost eerie, really strange that Maynard Jackson's passing would happen at almost the same time as the Supreme Court's decision in support of affirmative action. He was one of the great champions for diversity, inclusion, and fairness, not just in government and business but in all areas of American life.

Perhaps Maynard Jackson's greatest accomplishment as mayor was the building of the Atlanta Hartsfield International Airport. Under Maynard Jackson's leadership, Atlanta Hartsfield became one of the largest and busiest airports in the world. At one time, Atlanta Hartsfield included more minority contractors than any other airport in the country. Maynard Jackson insisted that if majority contractors were to participate in construction of the airport, so would minority contractors.

Maynard Jackson must be remembered as one of the founding fathers, not just of the new Atlanta, not just of the New South, but of the new America. He will be missed by all of the good people of Atlanta, all of the good people of Georgia, and the Nation and around the world. As mayor, he established in a profound way the sister city program. Many of our cities around the world became sister cities of the city of Atlanta. He traveled far and broad to carry the message of hope.

Mr. Speaker, my prayers are with his wife, Valerie, his children, and all members of the Jackson family. We all mourn for the family. We mourn for the citizens of Atlanta, for the citizens of Georgia, and for all of his friends.

CONGRESSIONAL REDISTRICTING

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

Mr. CULBERSON. Mr. Speaker, I have joined the Congress after serving 14 years in the Texas House of Representatives, and in every one of those years the State of Texas operated under a Federal court order controlling

our prison system. We have operated under Federal court orders controlling our mental health hospitals. We have operated under State court orders controlling our school finance system; and as a committed Jeffersonian, I fought strenuously to be sure that the people of Texas through their elected representatives would control our prisons, our mental health hospitals, and, above all, our school finance system which our legislature will deal with in a special session later this area.

One week from today, the Texas legislature will meet again in a special session to exercise the will of the people of Texas to control the way our congressional districts are drawn. That special session that will begin in 1 week has been the subject of much attention nationally in the preceding weeks; and of all the different analyses that I have seen done, the most eloquent, the most insightful analysis of what is taking place in the State of Texas in congressional redistricting was written by a young woman, Laura Childers, who expressed her opinion on the pages of the Houston Chronicle on May 15 of 2003. I would like to share her words with the Nation and with the Congress.

Laura Childers wrote: "I am not a Republican, and I am not a Democrat. I am a naive 17-year-old girl who has yet to cast her first vote. Maybe looking to the actions of my elders shall help to coach me in the manner that a ballot should be cast. This should be particularly useful in the presidential elections in November, upon which I, along with millions of my fellow young comrades, will have reached the powerful age of 18. So far I've learned a lot.

"It appears that the distinction of party and not of morality is what is supposed to define a politician in American legislatures today; am I correct? Take the recent Democrat walk-out from the Texas House of Representatives. What I gather from this incident is that it does not necessarily matter to the defending exiles that Texas citizens voted the Republican majority into office for the explicit reason of passing Republican legislation. In fact, I've heard statements from Democrats and their supporters that going against the American public's will is a very patriotic thing to do. This leads me to believe that the old, apparently outdated, reasons for government institutions no longer stand. The hopes and dreams of Presidents George Washington and Abraham Lincoln for a voice in the government for every American, regardless of position or belief, have been shattered.

"The creation of the democratic experiment of the United States of America was designed to see if it was possible for men to rule themselves. For the first time in modern history, there existed a haven where there were no dictators, no kaisers, no kings and no queens. There were the people, the voters, the common man. The people were to rule themselves by imposing a type

of controlled majority rule in the place of a tiny group of monarchial individuals. Representatives were to be elected by popular vote with the mission to represent and act upon the beliefs and wishes of their electors. Political parties naturally formed between groups of representatives who symbolized common wishes of their voters. In order to further promote these wishes, political parties unified with one another. The legislation proposed by the parties was made in the interest of the voter and was overturned or affirmed depending on the will of the majority. Thus bills were passed by population representatives in an effort to advocate for the bulk of all those represented.

"When people impede this delicate process, they encumber the right of every American voter to fair representation. By not allowing a majority rule but forcing a type of minority monarchy, the great voice of the American public has been silenced to a sickly whisper. In the place of a free democracy with freedom for all and dishonesty toward none, a type of legal party regime has been set up, and the rights of American individuals have vanished. If one party is allowed to manipulate government institutions on any level, State or national, as the group of Democrat representatives in leisure at an Oklahoma resort have, our rights as Americans have been breached. We have been denied the Government power granted to us upon the signing of our Constitution.

"If this is the way that the tumultuous ship of today's Government, the institutions of 2003, is intended to be steered, then this is not the America that I had thought it was, been taught it was and hoped it was.

"If the America I'd dreamed of and prayed for does not, in fact, exist and Thomas Jefferson's 'boisterous sea of liberty' has long since dried to a shadowy pit of political regimes and power-hungry abusers of our Mother Freedom, then I will fight for the hopes of Washington and I will battle for the lessons of Lincoln. If America is to be true to herself, if man still be just, then let our Lady Liberty's voice be heard to mend this crack entrenching on our precious, sacred, irreplaceable bell of liberty, our vote."

I am proud to say that Laura Childers is a constituent. She is a junior at Memorial High School in congressional district seven that I am so proud to represent, and I believe Laura Childers understands precisely what the American Constitution is about, what majority rule means, and what it means that the people of Texas have for the first time since 1876 voted in a new Republican majority in the Texas legislature, and Laura understands that it is the people of Texas and not the courts who should draw congressional districts.

□ 1945

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

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

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

(Mr. SMITH of Michigan addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

THE CHILD TAX CREDIT

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

Mr. EMANUEL. Mr. Speaker, nearly a month ago, this body passed a \$350 billion tax cut that benefited primarily the top 1 percent in the country. Warren Buffett and others, who although would benefit from it, spoke against that tax cut. Prior to that evening, the day before, Republicans out of the House and the Senate, with the Vice President, got together to work out an agreement. And we later found out, 2 days afterwards, nobody had known that 12 million children, 6.5 million working families, had been left out of that tax cut. It actually was in the Senate bill. Somehow, when the Vice President got in the room with the Republican House leadership here, the 12 million children of working families were left on the editing floor, because there was nobody outside of that conference room where the leadership met to represent the voice of 12 million children of working families.

Now, in about a week from now a good portion of the wealthiest 1 percent on average think is close to \$100,000 worth of tax cuts. Now, we have passed in the other body and in the House a tax cut to ameliorate and address this shortcoming that both the President says he wants done, the other body leadership say they want done and leadership in this Chamber say they want done.

Now, we need to address this problem, because in one week we have a tax cut that is going into place that has left out 12 million children of working parents, 6.5 million families. These are the families that are rookie cops, first-year firefighters, first-year teachers, nurses, single mothers. We can provide a tax cut for these children.

Now, this is in contrast to in May, this body provided a \$25 billion tax credit to the energy companies to do what? To drill for oil. Now, the last time I checked that is supposed to be in their business plan. They are sup-

posed to be doing that as a purpose of their business. That is what they exist for. In the very week that we passed a \$25 billion tax credit for the energy industry to do what, to drill, Exxon Mobil reported, and I want to read this absolutely correctly so nobody can get this wrong; Exxon reported that their net quarterly income had tripled and that it had \$12.3 billion in cash on hand. Mr. Speaker, \$12.3 billion cash on hand. Their net quarterly profits had tripled. We had passed them a \$25 billion tax cut, so they could do what? Drill for oil. That is the main mission of what that energy company does.

Enron, in the 4 out of the last 5 years, had never paid any corporate income taxes, yet received subsidies to the tune of \$200 million in tax subsidies, in grants through the Export-Import Bank, to do what? Provide an energy project in India. WorldCom, in 2 out of 3 years, paid no corporate income taxes and yet they reported \$12.5 billion in corporate profits. In fact, last week in our Committee on Budget in a hearing on waste, fraud, and abuse, Robert McIntyre, as well as the comptroller of the country, spoke about many tax credits and tax incentives that are used for corporations to do what they are supposed to do, and a great deal of mismanagement of our dollars are spent for these corporate welfare programs. Yet 12 million children could be provided a tax cut as they go into summer camp, as their parents start planning for the next year to buy shoes and new clothes for the school year.

So myself and other Members are going to start marking off the day as we get closer and closer, as the wealthy in this country start to get their tax cut, we are going to mark off the days as we begin to forget our children. Today is June 23, and now we count down to the day in which the checks start to go out. Yet the conference has not met, there has been no leadership out of the White House; no leadership shown to bring together both parties around a common set of values.

Now, we can disagree about whether the first \$350 billion tax cut should have been paid; we can disagree about whether corporate welfare should exist in the form of Enron not paying any corporate taxes; whether Exxon Mobil having \$12.5 billion cash on hand deserved another \$25 billion in tax credits to drill for oil. We can disagree on all of that, but surely we can come together around a common set of values, that if you work hard, if you are trying to do right by your children, raise them with the right set of values, that these families who make \$12,000, \$13,000, \$14,000 a year, what a Congressman makes in a month, that they deserve a full \$1,000 child tax credit.

We are going to count down the days every day to remind this body that until that day comes, that these families deserve a tax cut. They deserve to be rewarded for making the right choice of work over welfare. They de-

serve to get a tax cut like the wealthiest 1 percent in this country. Everybody seems to agree, yet nobody can come together into the same room to work out not only our economic interests, but our values and commonality.

So I would hope that as we mark this day that we would find the same interests that drove us so fast to give Exxon a tax credit to drill for oil, that we worked so fast and furious to give the wealthiest 1 percent in this country \$100,000 in tax cuts, that we find the same moral courage, the same discipline, the same foresight to give the 12 million children, 6.5 million families who work every day, get up in the morning, do not come home until late at night, try to do right by their children, have chosen the voyage of work and raised their children with a common set of values that we all espouse to represent and to want to reward; that we should not put another speed bump in their way as they try to raise their family. We should give them the tax cut that says you have done right, your children deserve it, you deserve it, because this is their money, too.

So today we mark off that day as we count down to July 1, when the first set of checks go out to the wealthiest 1 percent, and yet we here in Washington representing these people have not found the time to come together to come to an agreement to give a voice to their values, to give a choice to our common sense of purpose here.

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

(Mr. ROHRABACHER addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extension of Remarks.)

TRIBUTE TO A DEAR FRIEND, MAYNARD JACKSON

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

Ms. WATERS. Mr. Speaker, I rise today to speak on behalf of my dear friend who passed this morning, Maynard Jackson. Maynard Jackson was a dear and treasured friend. He was a man that I worked very closely with. He was a man that I had the greatest respect for. I held him in high esteem because he was a learned individual who loved politics and who loved public policy, and demonstrated his ability to lead.

As my colleagues know, Maynard Jackson was a young man that graduated from Morehouse College when he

was but 18 years old. He went on to get his law degree, and he was inspired by the death of Martin Luther King to enter politics, and enter politics he did.

He first ran against Mr. Talmadge, Herman Talmadge, and he lost that race. But he proved that there was a need for a new direction. He won the votes in Atlanta. He did that when outside of Atlanta, as a matter of fact, he lost by 3 to 1. But that really did launch his political career. Maynard Jackson went on to serve as Mayor for 3 terms in Atlanta.

I loved Maynard Jackson because he was a man of impeccable integrity. Not only did he provide a new kind of leadership for Atlanta, he opened up opportunities for African Americans and people of color. When Maynard Jackson, the first African American mayor to be elected in Atlanta, took office, African Americans were not really a part of the business community, and he actually alienated some of the white business community, because he insisted on opening up these opportunities. When I look at the airport there, I know the stories about how Maynard Jackson helped to implement affirmative action, and when we see some of the concessions that are there, they are there because Maynard Jackson led the way for much of that to take place.

Maynard Jackson loved the Democratic Party, and he served on the Democratic National Committee for many years. And as many folks know and understand, I encouraged him to run at our last winter meeting to be head of the DNC. Even though he started late, we created a conversation and discussion about what kind of leadership we needed for the DNC. Maynard Jackson certainly did not win that election. As a matter of fact, he bowed out and he supported Terry McAulliffe.

The debate that we created had to do with the direction of the party. Where are we going? Where is this party going? Maynard had a plan: the southern strategy plan. Maynard knew and understood that unless we increased the turnout and understand the importance of the South to the Democratic Party, then we could not win, and we will not win.

When we were in our struggle for Maynard to lead the Democratic National Committee, we finally agreed that Maynard would take over a new position that we created in the Democratic Party called the National Development Commission, of which he would be chairman. Under that, he would have the Voting Rights Institute. And Maynard set about with that designation to increase the awareness about what was wrong with the voting systems in this country.

We had just come out of Florida where votes had been stolen, where people had been turned away from the polls, where folks were identified as felons and put on lists who had never been to jail, and Maynard was convinced that we had to clean that up. And he begged the DNC to take this as

their number one issue and their number one priority. Maynard identified people who were to serve with him as he tried to carry out his vision of this Voting Rights Institute. But, for whatever reasons, it did not happen. Maynard called me and he said, I am going to resign the position. I do not think that it is going to happen in the way that we thought it would happen. And I consider that one of the greatest losses for the Democratic Party. Maynard went on back to Atlanta, to Jackson Securities, a company that he had founded where he did tremendously well.

He was a fine businessman, and he worked well with so many elected officials around this country in order to achieve the kind of success that he was able to achieve in the bond business.

I am going to miss Maynard. He was a dear and close friend, and the Democratic Party and all of us who wish to see this party go in a new direction, understanding the significance of the South, are going to miss him, and unless his thoughts and his ideas are accepted by this party we are going to continue to lose.

REMEMBERING MAYNARD JACKSON

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

Ms. WATSON. Mr. Speaker, I want to add my voice again to those who are lamenting the life well-lived, and the life just going into transition. It was Maynard Jackson, as my colleagues just heard, who had a vision of inclusion.

□ 2000

Maynard was able to unite various groups and interests in building one of the most complex airport terminals in the world ahead of schedule and within budget. And as I said before, it is particularly amazing that today was the day that Maynard Jackson transitioned and also the day the Supreme Court issued its landmark ruling.

In two successive votes, the Justices recognize that the most effective way to cure society of its exclusionary practices is to make special efforts to see that Americans are included, which is exactly what Maynard Jackson stood for when he mentioned the phrase "affirmative action." It was first used in President Lyndon Johnson's 1965 executive order. In 1967 Johnson expanded the executive order to include affirmative action requirements to benefit women. The policy was significantly expanded in 1969 by President Richard Nixon and then-Secretary of Labor George Schultz.

In 1973 Maynard Jackson began his leadership in implementing these policies, which enabled Atlanta to become a true world class city. There has always been affirmative action in public policy; but for many years it fought to

exclude, rather than include, people of color. Affirmative action was put in place to not only encourage diversity but to be a minor step in the direction of justice after hundreds of years of institutional and social discrimination against women and people of color in the United States of America. Much of the opposition to affirmative action is framed on the grounds of so-called reverse discrimination and unwarranted preferences. In fact, less than 2 percent of the 91,000 employment discrimination cases pending before the Equal Opportunity Commission are reverse discrimination cases.

Under the law as written, in executive orders and interpreted by the courts, anyone benefiting from affirmative action must have relevant and valid job or educational qualifications. Opponents of affirmative action also claim it is discriminatory. The problem with this myth is that it uses the same word, discrimination, to describe two very different things. Job discrimination is grounded in prejudice and exclusion; whereas, affirmative action is an effort to overcome prejudicial treatment through exclusion and to provide inclusion. The most effective way to cure society of exclusionary practices is to make special efforts at inclusion, which is exactly what affirmative action does.

When thinking about affirmative action policy, it is important to keep this principle in mind. In fact, despite the progress that has been made, the playing field today is still far from level. Women continue to earn 76 cents for every dollar earned by a male. Black people continue to have twice the unemployment rate of white people and graduate from college at half the rate of white people. In fact, without affirmative action, the percentage of black students at many selective schools would drop to only 2 percent of the total student body.

While I applaud the Court's decision today, our society still suffers from racial discrimination. And in the name of Maynard Jackson, we must carry on his legacy and his commitment to never waiver from equality for all Americans.

Mr. Speaker, I rise today to express my shock and sadness at the untimely passing of my dear friend Maynard Jackson—former Mayor of Atlanta and one of our country's most charismatic political leaders. I also want to take this opportunity to remember Maynard's contribution to affirmative action on the day when the Supreme Court declared its support for the program.

Maynard was a giant of his time, a trailblazer and a dedicated public servant who became the inspiration for generations of African American politicians. His election in 1974 as the Mayor of Atlanta helped usher in a new movement of racial equality and a new process of interracial understanding and co-existence where the spirit of the civil rights movement was carried forward by victories at the ballot boxes.

Maynard will be remembered as the South's first big-city African-American mayor, but his

legacy was much more than that. During his three terms as Mayor, Maynard oversaw construction of the midfield terminal at Hartsfield Atlanta International Airport, established a cultural affairs department, brought the Olympics to Atlanta, and all the while gave a voice to the city's in town neighborhoods.

Perhaps one of the most significant accomplishments of Maynard Jackson's tenure was his early support and leadership on affirmative action. During his first term, Maynard instituted a groundbreaking affirmative action program that elevated the percentage of city contracts awarded to minorities in Atlanta from less than 1 percent in 1973 to 38.6 percent five years later.

One of the great success stories of Maynard's affirmative action program was the creation of a "joint venture" between white and minority-owned businesses during the construction of the Atlanta airport. Working from a vision of inclusion, Maynard was able to unite various groups and interests in building one of the most complex airport terminals in the world ahead of schedule and within budget.

It is particularly ironic then that Maynard passed away on the day before the Supreme Court issued its landmark ruling. In two successive votes, the Justices recognized that the most effective way to cure society of exclusionary practices is to make special efforts at inclusion, which is exactly what affirmative action does.

The actual phrase "affirmative action" was first used in President Lyndon Johnson's 1965 Executive Order. In 1967, Johnson expanded the Executive Order to include affirmative action requirements to benefit women. The policy was significantly expanded in 1969 by President Richard Nixon and then Secretary of Labor George Schultz. In 1973, Maynard Jackson began his leadership in implementing these policies, which enabled Atlanta to become a world-class city.

There has always been affirmative action in public policy—but for many years it operated to exclude, rather than include, people of color. Affirmative action was put in place to not only encourage diversity, but to be a minor step in the direction of justice after hundreds of years of institutional and social discrimination against women and people of color in the United States.

Much of the opposition to affirmative action is framed on the grounds of so-called "reverse discrimination and unwarranted preferences." In fact, less than 2 percent of the 91,000 employment discrimination cases pending before the Equal Employment Opportunities Commission are reverse discrimination cases. Under the law as written in Executive Orders and interpreted by the courts, anyone benefitting from affirmative action must have relevant and valid job or educational qualifications.

Opponents of affirmative action also claim it is discriminatory. The problem with this myth is that it uses the same word—discrimination—to describe two very different things. Job discrimination is grounded in prejudice and exclusion, whereas affirmative action is an effort to overcome prejudicial treatment through inclusion. The most effective way to cure society of exclusionary practices is to make special efforts at inclusion, which is exactly what affirmative action does. When thinking about affirmative action policy, it is important to keep this principle in mind.

In fact, despite the progress that has been made, the playing field today is still far from level. Women continue to earn 76 cents for every dollar earned by a male. Black people continue to have twice the unemployment rate of white people, and graduate from college at half the rate of white people. In fact, without affirmative action the percentage of Black students at many selective schools would drop to only 2 percent of the total student body.

While I applaud the Court's decision today, our society still suffers from racial discrimination. It is unfortunate that after all these years we are still fighting an uphill battle for full inclusion into our Nation's society.

However, we are fortunate to have had the civil rights movement and leaders like Maynard Jackson. In remembering Maynard, we must carry on his legacy and his commitment to never waver from equality for all.

MAKING MEDICARE BETTER FOR ALL SENIORS

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). Under a previous order of the House, the gentlewoman from California (Ms. SOLIS) is recognized for 5 minutes.

Ms. SOLIS. Mr. Speaker, I am delighted to be here tonight to talk about a very important issue that is resonating across the country, and just recently on my return back from my district, more importantly, the issue of Medicare and prescription drug reform which is impacting largely low-income working families and especially many of the families that I represent in my district in California, Latino working families.

The facts are clear, 87 percent of uninsured Latinos come from working taxpaying families. However, nearly 60 percent of Latinos live in families with incomes below 200 percent of the poverty level. Many of these families, 37 percent, in fact, lack basic access to quality care. Low-income elderly Latinos face incomparable barriers to health care at just about every corner of their lives. Linguistic, cultural, financial burdens continually impede their health access that would otherwise be available to every American.

When President Johnson signed the Medicare bill back in 1965 he said, and I quote: "No longer will older Americans be denied the healing miracle of modern medicine."

Medicare was not created to exclude the elderly in exchange to enrich private insurance companies. The Republican proposal as I see it undermines the universal character of Medicare that ensures quality for all seniors. Instead, it provides different benefits to different seniors depending on your income. Figures estimate that the Medicare beneficiaries who spend \$4,000 or more out of pocket on drugs are not individuals making less than 100 percent of poverty, not those between 100 and 200 percent of poverty, but those individuals who live with incomes greater than 200 percent of poverty. These are the people we are asking to pay the most for their prescription drugs.

The House Republican bill increases costs for seniors by \$8 billion and does not offer meaningful benefits, nor does it make drugs affordable for our seniors. How can we even realistically say we are attempting to improve the lives of all Americans when the Latinos and low-income elderly population are the most susceptible for falling between the privatized cracks?

There are more than 214,000 Latino Medicare beneficiaries currently residing in the State where I come from, in California, and over 55 percent of those seniors report having little or no information. They do not even know about the bilingual toll-free Medicare phone number. Some do not even have telephones in their homes. Who will care for those beneficiaries when the Republicans impose unaffordable premiums, requiring spending up to \$250 before they can receive any help at all? This even prohibits the HHS Secretary from negotiating better prices. I thought he was supposed to be working on our side on behalf of our consumers and our seniors.

With private and for-profit managed care plans competing to entice healthy seniors to enroll, traditional Medicare will be forced to raise out-of-pocket costs astronomically for the sickest and most disabled beneficiaries. The holes in the cracks are visible. We are just seeing what has occurred in the State of California where many beneficiaries were dumped and they were left without care.

I urge my colleagues on the other side of the aisle to think of the future of these populations, the low-income, taxpaying. Whether they are Latino or not, let us help all the elderly who deserve accessible and meaningful Medicare plans. Let us protect our Nation by caring for all American seniors, and let us begin by working with the program that we know works, that will make a difference for all of us.

HONORING MAYNARD JACKSON

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

Ms. PELOSI. Mr. Speaker, I am sad to join my colleagues, the gentleman from Georgia (Mr. BISHOP), and the gentleman from Georgia (Mr. SCOTT), as well as the gentleman from Georgia (Mr. LEWIS) who was on the floor earlier, and I know the gentlewoman from Georgia (Ms. MAJETTE), I do not know if she has been here yet, and many other Members, the gentlewoman from California (Ms. WATERS) who was a very close friend of Maynard Jackson. I am saddened to add my personal thoughts and prayers to their wonderful comments about Maynard Jackson.

America has lost a great statesman today, and our hearts are saddened for his family and thousands of his colleagues and friends who loved him and worked with him on so many issues.

For his many friends at the United States Conference of Mayors where he

served in key leadership roles, to those who worked with him in building the magnificent Atlanta airport in his tenure as mayor, to the many people that he touched as he worked tirelessly to bring the Olympics to Atlanta, the list goes on and on, Maynard Jackson, Jr., was larger than life, physically, politically and in every way.

Maynard Jackson was the essence of a public person. Being first elected the mayor of Atlanta and then reelected and term-limited for another term, Maynard found other venues in which to serve his beloved Atlanta. He was an entrepreneur, one who mentored many young people who had expressed an interest in starting their own businesses. Maynard Jackson can be best described as a facilitator of the people. A facilitator so much so that when he chose to return to elected office, Mr. Speaker, for a third term as mayor of Atlanta, he was elected overwhelmingly with 80 percent of the vote. People loved and trusted Maynard Jackson.

Maynard was a democrat with a small "d" and a capital D. He offered himself as the Chair of our party, as the gentlewoman from California (Ms. WATERS) said earlier. Even though he was not successful, Mayor Jackson continued to work on voter education and outreach within the party in a very significant way.

I was pleased to appoint Maynard Jackson to serve on the Election Assistance Commission Advisory Committee. I think it was an honor to all the Democratic members of the House that he accepted that position. This advisory committee would have had, and does have, the import of assisting 50 States to make sure that the American electoral system is accessible and fair. What greater American to oversee such a momentous task.

Mr. Speaker, this was a result of legislation passed by the House of Representatives, by the entire Congress, signed by the President to make sure that every vote in America counts, that the public knows that, that we do the outreach, that we have the education of the public, that we have the technical assistance and the financial assistance to States and to communities, to have a voting system that, again, is fair, understandable, accessible and in which every vote is counted.

Maynard Jackson devoted his life to the legitimacy of the process, to democracy in our country, to a commitment to enhance the voices of minorities in our country. We will miss him with his warm smile and his big heart. We all would say to Maynard, Well done. Well done.

I hope it is a comfort to his family that so many people mourn their loss and are praying for them at this sad time.

REMEMBERING MAYNARD JACKSON

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

Mr. SCOTT of Georgia. Mr. Speaker, I rise with a heavy heart, indeed, for Maynard Jackson was a very dear and close and personal friend of mine.

I say this with all sincerity and truthfulness, that had it not been for Maynard Jackson, I would not be here serving in the Congress of the United States. Maynard Jackson ushered in a whole era of black political participation unprecedented. He was a pioneer of soaring magnitude that touched so many people's lives.

In 1973 he gave opportunities and hope for so many of us when he ran and was elected to mayor. And to show the kind of person he was, one year later he encouraged me to run for the Georgia House of Representatives to start my career. I was elected as one of the youngest members of the House of Representatives of Georgia.

Maynard Jackson, one year after he was elected mayor, was in the street of Atlanta, on the Southside of Atlanta walking day to day and knocking on doors to help get me elected to the Georgia House of Representatives. So I hope you understand me when I say that I stand here with a deep and heavy heart.

□ 2015

I have thought what could we say, what could we say in this hallowed Chamber of the Congress of the United States that would best epitomize Maynard Jackson?

To me, it is summed up in one word and that is great. Maynard Jackson was a great man. He was a great human being, not only great in size but great in his heart, great in his giving, extraordinarily great in his contributions, the guiding force to build the world's busiest airport Atlanta's International Airport, the guiding force to bring the 1996 Olympics to Atlanta Georgia, making us a world class city, opening door after door, not just in the world of politics, which has been mentioned, but in business, opening up doors of business opportunities for many of us who would not have those opportunities and those doors opened.

Greatness is his word. Greatness is its meaning, and maybe we ought to pause for a moment to ponder that word "greatness."

That question was put to the great Greek philosopher Aristotle, and Aristotle was asked, What does it take to make a great person? Aristotle replied, In order to be a great person, you must first of all know thyself. Maynard Jackson knew himself. He knew who he was and he knew whose he was, that he was foremost a child of God and he carried that with him.

His faith sustained him, gave him the courage to step out in 1969 as a young man and challenge the legendary Her-

man Talmadge for the United States Senate seat in Georgia in, 1969, one year after the assassination of Martin Luther King, Jr.

Later on, that word of greatness was asked of the great Roman general Marcus Aurelius. What does it take to be great, Marcus Aurelius was asked. Marcus Aurelius responded and said, In order to be great, you must first of all discipline yourself, and Maynard Jackson disciplined himself, carried himself.

Oh, he was a master politician. Nobody could work the room like Maynard Jackson, shaking hand after hand. I learned so much from him, how to shake somebody's hand and look them in the eye and make them feel like they are the most important person on Earth. That was Maynard Jackson.

The discipline of getting through Morehouse School at 18 years old, the discipline of becoming the first Vice Mayor of Atlanta, African American, and then becoming the first Mayor of Atlanta, African American; the discipline of Maynard Jackson.

Finally, that question was put to the great Messiah, Jesus Christ, and Jesus was asked, What does it take to make a great person? Jesus responded and said, In order to be great, you must first of all sacrifice yourself. Maynard Jackson sacrificed himself. He gave of his life. Indeed, he did.

We all knew he had some health problems, but he kept going, and I am sure as he was here in Washington, D.C., this morning, he was sacrificing himself to further expand opportunities.

When I last met with him, he said, It is a shame that we have 600,000 African Americans who are able to vote and are the age to vote in Georgia but are not registered to vote. David, we must do something about it. He was a man of action who knew himself, who disciplined himself, who sacrificed himself.

On this day, let it be known that a great oak fell in the forest of America and the world and we all need to thank God for sending Maynard Holbrook Jackson our way, not just the black folks' way, but not just the white folks' way, all of our way, for he was truly a bridge builder, and this Nation and this world is better because God sent Maynard Holbrook Jackson our way.

God bless Maynard Jackson.

HONORING MAYNARD HOLBROOK JACKSON

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). Under a previous order of the House, the gentleman from Georgia (Mr. BISHOP) is recognized for 5 minutes.

Mr. BISHOP of Georgia. Mr. Speaker, I stand again to address this House and to express my sorrow at the passing of my friend, a great man, Maynard Holbrook Jackson.

Longfellow wrote: "Lives of great men all remind us, We can make our

lives sublime. And, departing, leave behind us, Footprints on the sands of time." Yes, Maynard has left great footprints. He left footprints as he left high school at 15 years of age to attend Morehouse College as an early admissions student, when he graduated from Morehouse College with a degree and went on to North Carolina Central University Law School, where he earned a law degree at a very early age. He had a deep baritone voice which he honed singing in the Morehouse College Glee Club. When he graduated from law school, he put that voice to work as a lawyer with the Emory Neighborhood Law Office practicing legal aid.

Maynard was a very, very astute and committed lawyer to the poor. He represented the poor in Atlanta when they were evicted, when they were hounded by debt collectors. He represented them when they had family problems, domestic problems. He handled divorce cases.

I followed him at the Emory Neighborhood Law Office, and I inherited a number of his cases as he moved on to leave even greater footprints.

When he went to the City of Atlanta and became Vice Mayor, inspiring all of us at what this young man could do in terms of leadership for his city, he left footprints there, and it was just a matter of time before he was drafted to make the run for Mayor, and Mayor he was, Mayor of the City of Atlanta where he transformed Atlanta into a world class, world renowned city.

He instituted affirmative action with city contracting. He proved that minorities and women could and would under his watch participate as partners in building Atlanta to greatness.

He developed a national demonstration project in his methods of implementing affirmative action in Atlanta which was followed across the country as other mayors and other cities began to follow the example and the road map that Maynard Jackson left, the footprints that he left there in the sands of time.

He was a leader in so many respects. He founded the Georgia Association of Black Elected Officials, which was an organization that helped to bring leadership and to strengthen all of the black elected officials in Georgia and, again, allowed Georgia to lead the Nation in growing a crop of African American elected officials so that he could put flesh and put life into the Voting Rights Act that was brought into being by the civil rights movements out of Atlanta and across the country.

He was one who could be said to have been born with a silver spoon in his mouth. He was from a well-to-do, upper middle class African American family. He was a son of a Baptist preacher, the grandson of one of the icons of Georgia history, John Wesley Dobbs, grand master of the Prince Hall Masons of Georgia, a leader in his own right in political undertakings throughout the State.

He was the nephew of Mattiwilda Dobbs, opera singer, one of the few Af-

rican American opera singers in the 1950s.

He was a mentor, a bond attorney. He was a friend to so many, a helpful person. He helped young individuals who were interested in going into business or who were interested in running for office. He exemplified all that was good.

Yes, he was a great man, not because of the titles he carried, not because of the degrees that he had earned, the businesses that he started. He was great because he measured by the true standard of greatness set by Jesus, who said he who is great among you shall be your servant and who is the greatest shall be servant unto all.

Maynard Holbrook Johnson measured up. He was indeed great. We mourn his loss. We thank God and we thank his family that he came this way, that he helped make this world a little more of hope, a little less of fear and certainly much, much better because he traveled here.

CHILD TAX CREDIT

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

Ms. DELAURO. Mr. Speaker, it was exactly a month ago that the House passed a \$350 billion tax cut, a tax cut that promised working families, those families who make between \$10,500 and \$26,600, it promised them a child tax credit, and these are our families who pay taxes, payroll taxes, sales taxes, property taxes, excise taxes.

Something happened on the way to the bill signing by the President of the United States. The Republican majority stole that child tax credit from 6.5 million families, 12 million children. Why? To make room for a \$93,000 tax cut for millionaires; 183,000 millionaires will get that amount in a tax cut. So I say happy anniversary.

A week from today, 25 million families in this country will begin to receive their refunds in the mail, but not these six-and-a-half million families hardworking, tax paying families. These families are being held hostage, used as little more than a bargaining chip in the Republicans' never ending obsessive quest to cut taxes and cut them only for the wealthiest people.

Among these families who will not be receiving this tax credit are 200,000 military families, men and women who if we open the paper we can see are still fighting a war. We are losing almost every single day one GI. They are fighting this war in Iraq. They do not deserve to be held hostage by this majority, a majority that has made no bones about their complete and their utter indifference to these families' plight.

The people who have been excluded, these are some of the hardest working people in the country, people who earn minimum wage. They often work two or three jobs just to get by to help

their families, and when we think about it for a moment, every minimum wage earning mother in this country paid more taxes than the Enron Corporation did. Enron Corporation paid no taxes in the last 4 out of 5 years. Every one of these families have paid more in taxes than a multibillion dollar corporation.

Make no mistake, this is an all out assault on millions of decent families in this country who work hard. They play by the rules, but this majority cannot put partisan politics aside and act simply and decisively to restore to these families the tax relief that they have rightfully earned, and it is an outrage but it also speaks volumes about their values and their priorities.

It has now been a month since this majority stole this child tax credit from these families. This calendar that is here tonight is here to remind this majority of those six-and-a-half million families that they hold hostage every day because they refuse to simply do what is right.

We will count down to July 1 when 25 million families are going to get the child tax credit, but these hardworking families are not. Every day this injustice is not corrected, every day they ignore the needs of honest, hardworking families in this country, is another day Democrats will be talking about this on the House floor. Every day the House takes up another bill that cuts taxes for the wealthiest people in this country is another day that we will be talking about this on the TV, on the radio and in the newspapers.

□ 2030

Every day will be another day that this will not go away, and it will not go away until this House has done something about it.

So I want to let my Republican colleagues know in no uncertain terms that the clock is ticking. We do not need to see a 2-month anniversary of this injustice. The time to act is now. Twelve million children are waiting.

MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). Under the Speaker's announced policy of January 7, 2003, the gentleman from Georgia (Mr. GINGREY) is recognized for 60 minutes as the designee of the majority leader.

Mr. GINGREY. Mr. Speaker, I rise tonight to talk about one of my favorite subjects, health care, and in particular to talk about the Medicare Prescription Drug and Modernization Act of 2003.

I am surely thankful this evening that I have this opportunity to talk about something which truly should be a bipartisan issue, the health of our Nation. I am particularly pleased that it is bipartisan on a day like today, when I learned before boarding a plane to come back to the Congress that a

great man in Georgia had fallen. Former mayor, three-term Mayor Maynard Jackson has died. And I stand here tonight with a great deal of humility following some of the speakers who have already paid tribute to Mayor Jackson: the minority leader, the gentlewoman from California (Ms. PELOSI); the gentlewoman from California (Ms. WATSON); the gentlewoman from California (Ms. WATERS); and my colleagues and friends from the Georgia delegation, the gentleman from Georgia (Mr. LEWIS); the gentleman from Georgia (Mr. BISHOP); the gentleman from Georgia (Mr. SCOTT); and the gentlewoman from Georgia (Ms. MAJETTE).

Maynard Jackson was a great Georgian and a great American. For me to stand up here this evening and talk about the many things that he has accomplished would be a little bit redundant. I could talk about his efforts to bring the Olympics to the city of Atlanta in 1996, and he of course played a great part in that; but that is just a small thing that Mayor Jackson has done, and it would be not nearly enough just to point to that. My colleagues have done a wonderful job tonight in describing him and their deep friendship with him.

Let me just say that all Georgians mourn tonight the passing of Mayor Maynard Jackson, and we extend our heartfelt sympathy to his family. I would like to actually take just a few seconds of my time tonight for a moment of silence in tribute to Mayor Maynard Jackson.

I thank my colleagues.

Mr. Speaker, America has the world's best health care system because it relies on innovations of the private sector. A competitive free market system provides incentives to develop better drugs, better treatments, better care, and better forms of health care delivery. The President's framework for Medicare reform would apply the best practices of the private health care market to Medicare.

As successful as Medicare has been, it has not kept pace with dramatic improvements in health care because it is a government program, immune to many market forces. Medicare still does not provide seniors with an outpatient prescription drug benefit, full coverage for preventive care, or limits on high out-of-pocket expenses. As a result, our seniors lack many of the choices and benefits available to millions of Americans who have private health insurance.

Mr. Speaker, I would like to call on some of my doctor colleagues in this body who are with me tonight to talk about Medicare and the reform that we are going to pass in H.R. 1. So at this time I would yield to my colleague, the gentleman from Pennsylvania (Mr. MURPHY), to address this topic.

Mr. MURPHY. Mr. Speaker, I thank the gentleman from Georgia for yielding time. Mr. Speaker, I rise today to voice my support for the Medicare pre-

scription drug bill that will be considered by the House later this week.

In the coming days, we are going to hear a lot of reasons why this bill is so important to our seniors. And, frankly, many of those reasons are correct. This is an important and long-overdue bill. I would like to say that prior to coming to Congress I was honored to serve as a State Senator in Pennsylvania, and there I served as chairman of the Committee on Aging and Youth, where we constantly worked to provide much-needed services for all seniors, but especially low-income seniors in Pennsylvania.

I should note that, in Pennsylvania, over 15 percent of our population is age 65 and older. Some of my colleagues might be surprised to learn that only Florida has a higher percentage of seniors age 65 or older. Access to prescription drugs means a lot to Pennsylvania seniors, as it does throughout the Nation; but in Pennsylvania we are fortunate to have a comprehensive State pharmaceutical assistance program that has been in existence since 1984. It is referred to as PACE and also PACENET.

For the last 19 years, low-income seniors in Pennsylvania have enjoyed access to affordable prescription drugs funded through the lottery program. Pennsylvania's PACE and PACENET programs currently serve about 220,000 seniors, spending about \$500 million a year. It is the second largest program in the Nation. I have spoken to many of my constituents that have used PACE and PACENET over the years, and they have all told me one thing: it is a good program, they trust it, and it makes a huge difference in their lives.

Other seniors in Pennsylvania, as well as throughout the Nation, are asking, however, is there something else that can be done to assist them? Even in some small way, given the cost of prescription drugs for so many of them, very often over a thousand dollars a year, they need some assistance. And, Mr. Speaker, I want to point out that we are not just talking about quality-of-life issues. These drugs are often about life and death itself, and this is why this legislation is so incredibly important to our seniors.

When I won my election to this House of Representatives, one of my top priorities was to ensure that States with pharmaceutical assistance programs would be protected under this bill. That is extremely important because over a dozen States dedicate funds to provide some level of pharmaceutical assistance for the elderly. It is important for those citizens to know that Congress is working to protect those States that have invested so much. Some of the neighboring States to Pennsylvania, New York, New Jersey, nearby Connecticut, Florida, so many States have these programs and have invested so much. So seniors are asking us, will we still have some of these benefits, and the answer is yes.

I am pleased how closely Pennsylvania's delegation has worked together

on this issue, and I particularly appreciate the Chair of the Subcommittee on Health of the Committee on Ways and Means, the gentlewoman from Connecticut (Mrs. JOHNSON), her guidance, support, and leadership on this issue. This legislation will fully integrate PACE and PACENET for Pennsylvania and other State pharmaceutical assistance programs into the new Medicare prescription drug benefit.

This means that for low-income seniors in Pennsylvania they will continue to enroll in and benefit from PACE and PACENET even if they have a choice of other plans to participate in. It gives PACE and PACENET the opportunity to continue to wrap around those programs and make sure that low-income seniors can continue to benefit from them. It also creates a commission so that PACE, PACENET, and Medicare are integrated into a single seamless benefit. Pennsylvania will have a seat on that commission, ensuring minimal disruption for PACE and PACENET beneficiaries.

Let us not forget that when people are in their 70s, 80s, and 90s, the last thing they need to juggle is how to deal with prescription drug benefits. They need a single seamless entity, whether it is a magnetic card they can swipe or whatever. The pharmacist and the physician will know what that senior's coverage is and will be able to help them in the simplest possible way to make sure they have access to that coverage.

For Pennsylvania, an integrated benefit means Medicare will share a significant portion of PACE and PACENET drug costs, and this freezes up additional funding for PACE and PACENET, possibly some \$200 million a year. So the General Assembly can both shore up the financing of those programs in Pennsylvania as well as expand eligibility into higher-income levels, good news to many seniors, who up to this point have been paying out of pocket or trying to pay for other insurance policies.

But this bill is not just good for Pennsylvania citizens; it is good for all of our seniors. I would like to focus on another important aspect of this bill. Our seniors cannot afford to wait any longer. We in Congress must act to create a Medicare prescription drug benefit because seniors should never have to choose between food and drugs. The unfortunate truth is that seniors without drug coverage are more likely to skip doses or go without filling a prescription.

According to a 2002 study of seniors in eight States, among those with serious health problems, such as congestive heart failure and diabetes, one-third of those who lacked drug coverage reported skipping dosages in order to make their prescriptions last longer. What this means is that rather than controlling their diseases, they are more likely to end up in the hospital for expensive procedures.

In addition, access to newer prescription drugs has been shown to lower

spending on other services, such as hospital care, due to fewer inpatient stays. Prescription drug coverage just makes sense. And if a senior does not take their medication, they are more likely to fall ill and end up in the hospital.

I fully expect over the next couple of days that, despite people calling for bipartisan cooperation, which sometimes, unfortunately, are just words in this town, people will try to poke holes in this bill. They will say it does not cover enough; it is not all things to all people. Mr. Speaker, I do not think there is a single piece of legislation that ever comes out of this assembly that everybody agrees on all portions of. But seniors have been asking for help, and it is important to them that we say help is on the way. It is time to dedicate our energies not just to rhetoric and partisan politics to use this as a mechanism to attack each other. Because seniors see right through this. One elderly gentleman told me, my eyes may be failing, but sometimes we are not as dumb as you think we are. We know what is going on, and we need help and we need it now. So it is important we pass this bill.

It is 2003, and seniors deserve comprehensive insurance coverage that includes prescription drugs. I urge my colleagues to join me in voting for this bill later this week. It is important, it is necessary, and it is critical we do it now. I thank my colleague.

Mr. GINGREY. I thank, Mr. Speaker, the gentleman from Pennsylvania (Mr. MURPHY), who, of course, talked a lot about the prescription drug benefit and how important a part of this Medicare reform that piece is, and indeed it is.

I want to call my colleagues' attention to this poster to my left in regard to, of course, strengthening Medicare. There are some other points that I want to make that I think are extremely important and that the President and the leadership of this Congress know all too well. Of course, my colleague from Pennsylvania was talking about the prescription drug benefit for our seniors, but this plan does so much more than that. So much more than that.

The Republican plan preserves Medicare for the future. We all know of the actuarial studies. We know of the bipartisan Commission on Medicare Reform. Everybody knows that if we do not do something in this legislation about preserving Medicare for the future that by the year 2030 the program, particularly the trust fund, the hospital trust fund, will be completely insolvent.

□ 2045

Then the other thing about this reform is the very, very important point of giving seniors choices. What this bill will give to our seniors is a choice to remain if they want to remain in traditional Medicare, fee-for-service, something they are comfortable with. If they are not ready for a change, yes, they can remain in traditional Medi-

care and get the complete prescription drug benefit that the gentleman from Pennsylvania (Mr. MURPHY) was talking about. So this is very important. This is not a one-legged or two-legged stool; it is a three-legged approach, and we are going to have a good program for our seniors.

Of course the gentleman from Pennsylvania (Mr. MURPHY) was talking about sometimes a senior in his district could not see very well or hear very well or maybe their limbs are aching and they do not get around as well as they used to; but if Members come to my district and my town hall meetings, Members know they are thinking and are smart and understand this issue and want relief and want it now. That is what H.R. 1, the Medicare Prescription Drug and Modernization Act of 2003, is going to give to them.

Now, let us talk a little bit about some of these seniors. The gentleman from Pennsylvania (Mr. MURPHY) did a great job of touching on that and talking about some of the people in his district. Let me point out in this poster, providing for catastrophe, assistance for seniors in need, provisions in this legislation assist seniors facing catastrophic medical costs. Let me give an example of some folks in my district that are facing catastrophic medical costs.

Mr. and Mrs. Grady Jenkins are senior citizens who live in Rome, Georgia, in Floyd County, northwest Georgia, the heart of my district. Mr. Jenkins is 79. He is a World War II Navy veteran, and he worked at Georgia Craft, a paper mill. He and his wife have to pay \$1,200 a month for their medicine. After they pay for their medicine and their living expenses, they can barely afford to eat. This could easily be a picture of Mr. and Mrs. Grady Jenkins. They are worried because the cost of fuel for heating and air keep rising. They do not know how they are going to make it.

Let me give another example, again in the 11th Congressional District of Georgia, George and Vera Rohr live in Buchanan in Haralson County. Mr. Rohr is a 72-year-old veteran and a Purple Heart recipient. He worked and retired from Lockheed. They are drawing Social Security, and they have a supplement. Unfortunately, he suffered an aneurysm last year; and with the doctor bills and the medicine they both have to take, they have depleted their savings, and now they are struggling to make ends meet. They go from paycheck to paycheck. She tries to pick up odd jobs when she can just to buy the groceries.

Horace Cline was a pharmacist for 49 years in Cave Springs, Georgia. He remembers a time when it only cost 50 cents to fill a prescription. Now he sees antibiotics that cost more than \$10 a pill. He does not see how people can afford their medicine. Most of his elderly patients are on a fixed income, and most have three or four prescriptions a day to take. Many people have more

than that. The average 75-year-old senior is taking 4½ prescription medications a day, and many of these do cost \$10 a pill. This cannot stand.

In his little community, this pharmacist, he hears tragic stories every day of people sacrificing basic needs to buy the drugs they or their spouses need to stay alive. He remembers a little lady that only received \$400 a month from her husband's retirement fund. Her prescriptions cost \$300 a month, hardly leaving anything for food. He said it is not uncommon for people to ask for a stronger dose of the medicine so they can buy fewer pills and break them in half to be able to afford them.

Mr. Speaker, if you have ever tried to break apart one of these pills, let me say it is not easy. It is not easy for some of our weight-lifting friends, much less our senior citizens who are not so strong any more. People are improvising anywhere they can just to be able to afford the medicine and the doctor bills.

Mr. Speaker, it is a great honor to be in this 108th Congress, to be a freshman Member of a great group of men and women. I have great respect for Members on both sides of the aisle. I have a special deep respect for some of my physician colleagues who are Members of the 108th Congress, and one in particular, a freshman like myself who for many years practiced obstetrics and gynecology in Texas. He has only delivered fewer babies than I have because he has not been at it as long as I have.

Mr. Speaker, I yield to the gentleman from Texas (Mr. BURGESS) to speak on this very important issue.

Mr. BURGESS. Mr. Speaker, I thank the gentleman for yielding; and I would add to what the gentleman has just said, he is quite right, we do have a good class on both sides of the aisle and certainly a lot of people look to our freshman class for leadership on this and other issues.

I thank the gentleman from Georgia (Mr. GINGREY) for inviting me to talk about this important work that this House has undertaken to improve the Medicare program. The gentleman of course knows that Medicare is a 38-year-old government program, having been there at its inception. I came along a little later.

Mr. GINGREY. Mr. Speaker, I must say I absolutely deny being there at the inception of Medicare; maybe it was close, but not at the inception.

Mr. BURGESS. Mr. Speaker, I thank the gentleman for pointing that out. Medicare is a 38-year-old program, but unfortunately it has done little to adapt to the practice of medicine. There is no doubt that Americans have benefited from the development of new and innovative medications. These new drugs can improve and extend lives. It is a simple fact that fewer and fewer of us will die from acute illnesses, but more and more of us will be living with chronic conditions which mean the use of medications.

Drugs exist that can dramatically reduce cholesterol, fight cancer, and alleviate debilitating arthritis. Potent cancer-fighting drugs are reducing breast cancer mortality rates with great success. An entire new class of medicines, collectively known as selective estrogen receptor modulators, are reducing breast cancer mortality rates and one day may see an expanded role in the actual prevention of this disease.

Drugs that fight prostate cancer, diabetes and other life-threatening diseases are not available as a basic part of Medicare, forcing beneficiaries to often make difficult decisions related to their health. Medicare beneficiaries should have access to these drugs, just like so many of us have access to prescription drugs through our own health plans. Medicare was established to improve the health and well-being of America's seniors.

Because the current program does not provide prescription drugs as part of its basic benefit, it is hard to say that Medicare as-is lives up to that promise. With nearly 40 million people enrolled in Medicare and the number of Americans over 65 expected to increase substantially over the coming years, it is important that we approach this issue with clarity and foresight. We should be aware that if this Medicare change is not done right the first time, we could be leaving for our children and grandchildren a commitment that will be difficult, if not impossible, to meet.

This new entitlement, if not implemented properly, could threaten to imbalance future Federal budgets and displace other important priorities.

The bill that the Committee on Energy and Commerce and the Committee on Ways and Means approved last week tries to meet the needs of seniors today and on into the future and attempts to balance the future Federal spending commitments, but we must also be aware of ways that we can hold down the price of prescription drugs and further the taxpayer resources that will be devoted to a Medicare prescription drug benefit.

The United States, through our trade representatives, must work with foreign countries to dismantle their drug price control structures and embrace free market principles. No longer should our uninsured and our elderly bear the cost of pharmaceutical research and development for France, Germany, Canada, Japan and a multitude of other countries. By bringing the purchasing power of the Federal Government to bear, we should be able to positively impact the price of pharmaceuticals sold in this country through free market principles.

It is time to deal seriously with other countries that put our most vulnerable citizens at risk. We acknowledge our obligation to protect the American people from policies of foreign governments that can be described as predatory at best. And if we cannot hold down the price of drugs through mar-

ket principles, the taxpayer will suffer. Because of the decisions made by this Congress, the beneficiary could bear more and more of their medical costs, and the health of all Americans could suffer because of less access to innovative drug therapies. This Congress stands at the threshold of improving the lives of America's seniors today and of course tomorrow's seniors as well.

Mr. Speaker, this is the first and possibly the only chance that we will have to get it right. We debate this Medicare bill largely through the lens of how we think our entire health care system should be reformed. We must implement commonsense, market-based reforms to hold down the cost of care and improve the doctor-patient relationship.

Bills such as H.R. 2114, the Health Access and Flexibility Act, would increase access to medical savings accounts for all Americans and grant States the flexibility to provide Medicaid and children's health insurance program recipients with health coverage under an MSA model by providing Americans with incentives to hold down medical spending through mechanisms such as a medical savings account and giving them more flexibility in how they spend their own money on medical costs. We can do a better job of containing the cost of health care and achieve better health outcomes.

And so it is with the current debate. We must all ask ourselves the question whether this legislation will meet the health needs of seniors and be accountable to taxpayers for the generations that will follow us. We are here debating this issue because of the absence of action, the absence of action by prior Congresses; but the failure of past Congresses and administrations must not hinder us from these two goals.

Mr. Speaker, we stand at the threshold of implementing important reforms that will impact the health of millions of Americans; but the gentleman from Georgia (Mr. GINGREY) is right, we need to do it now and we need to do it right.

Mr. GINGREY. Mr. Speaker, I thank the gentleman from Texas (Mr. BURGESS) and, of course, the gentleman brings up some very good points about other reforms that this Republican majority, this administration and this leadership are going to present to the American public.

The gentleman mentions the new and improved medical savings account. These are not for our seniors, and we are here tonight primarily talking about what we are doing to reform and improve Medicare, both the traditional fee-for-service and the Medicare advantage and the enhanced fee-for-service option; but also as the gentleman from Texas (Mr. BURGESS) points out, we are thinking much broader. We are thinking about what we can do for younger workers so they can plan for their future, so they can plan for the day that they become a senior. That is what the

gentleman is talking about with regard to medical savings accounts which are so important because so much of the money that is spent on health care in this country today is going toward extended care and skilled nursing facilities as an example, many times after prolonged hospital stays.

The current Medicare program has no catastrophic coverage whatsoever. After an individual has spent 60 or 90 or at the very most 120 days in the hospital in any lone year, there is no coverage. Our seniors have no coverage; and whatever nest egg that mom or dad or grandparents have accumulated it is gone, it is exhausted. In many instances when they have to go to an extended nursing care facility for a prolonged stay those benefits are extremely limited and there is no money left to pay for it. The part paid for by Medicare is very limited.

□ 2100

So what happens to these individuals? They do not get thrown out on the street. Thank God, we are more compassionate in this country than that. We would never let that happen. But they become indigent. They literally become indigent. Then they are Medicaid eligible and so much of that Medicaid money which, of course, being a Federal-State cost sharing, in some instances 60-40, maybe 50-50, very expensive, and where are most of the dollars going? They are going to pay those bills in these extended care facilities.

The gentleman from Texas is so right. I am so appreciative, Mr. Speaker, to the gentleman from Texas for pointing that out to us. We are doing more than just reforming Medicare for the future and providing a prescription drug benefit for our seniors. We are going to make sure that those who will become our seniors in the future and ad infinitum will have a way to pay for things like extended care insurance. This is so very important and I am so appreciative of the gentleman from Texas for bringing that up.

Mr. BURGESS. If the gentleman will yield, of course this is a little bit off the subject but so terribly important that we make our constituents aware, especially those who are younger or middle-aged that the time to look into long-term care insurance, not a program that will be provided by the government but something that you should do as being a responsible member of society, the time to look into providing for long-term care for yourself and your spouse, the time to do that is now. I again recognize that that is a little bit off our subject tonight, but it does tie into the greater knowledge that at some point the Federal Government's ability to pay for everything that is going to be required possibly could be outstripped. By someone being responsible and providing for themselves and their families now with long-term care insurance, this is the time to do it for individuals our age and a little bit younger.

Mr. GINGREY. I thank the gentleman for bringing that to our attention because he is so right, and to have someone like the gentleman from Texas who has spent an entire career practicing medicine, being there every day and, of course, as an OB-GYN every night and every weekend as well, he understands the big picture. That is why it is so important to have Members like the gentleman from Texas bringing this information forward.

I see the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) has joined us, the former Speaker pro tem of the Assembly in the great State of Florida. I yield to her on this very important subject. I thank the gentlewoman from Florida for being with us tonight.

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I would just like to correct the previous speaker. I was the President pro tem of the Florida Senate, not the Assembly or the House. It was the Florida Senate. When I was a Florida Senator, we had an option that we pushed for and actually achieved. That was, we offered prescription assistance to low-income seniors. When we were developing the bill, of course we had to live within a budget. We lived within the budget. I can just tell you that it is almost like I can predict what will happen. We will hear from the other side that it is not enough. For those people who are benefitting, something is better than nothing. The plan started out relatively small and it grew and it expanded. But we were helping the very low-income seniors in the State of Florida.

I rise today to remind my colleagues of the extreme importance of providing a prescription drug benefit for our seniors on Medicare. I cannot emphasize enough what a difference having a prescription drug benefit will make in the lives of our seniors, especially those low-income seniors, many of whom reside in Florida. I have a large number of seniors who are retired who regularly call my office, who regularly stop me in the grocery store and after church to tell me of the problems that they are having paying for their prescription drugs that equate to a quality of life. Seniors who rely on Medicare have nothing to help defray the cost of their prescription drugs, the majority of them. Some do have prescription drug programs, but the majority of them have only Social Security in my congressional district and they truly do need the help that a good prescription drug bill will provide. Seniors covered by Medicare right now are probably the select few who are paying retail prices for their prescription drugs. You and I might go to the pharmacy and pay either a small copay or a very small fraction of the cost of our drugs. We would go ballistic if a pharmacist told us that the prescription that we needed, quote, wasn't covered. Well, guess what? Seniors face this every single day.

A constituent called just as I was leaving the office this morning and told me how she has to pay \$7.50 per pill for just one of her prescriptions. For people on a fixed income or anyone, for that matter, that is an enormously expensive drug. Yet this is a prescription drug, costly as it is, that my constituent needs to stay alive.

Mr. Speaker, I am new to this body. I have not been around for years of debate on this issue in this House. I was not here for the two previous sessions where there was a successful vote to bring a prescription drug benefit to our seniors. Maybe that makes me idealistic, maybe less jaded, whatever you want to call it. But I just cannot envision going home and telling my constituents, justifying to them, or trying to justify to them why Congress cannot give them a prescription drug benefit. I hope that I never have to try to justify that.

The previous occupant of the congressional seat from Florida's Fifth District voted against the prescription drug bill that was there in 2002. I made a commitment early on that I would vote for a prescription drug bill. The prescription drug bill that has been worked through two committees, both Ways and Means and Energy and Commerce, is coming along very well. It is a bill that I have some reservations about, but the reservations are mainly about the cost. But we should begin a program and we should actually probably tie that program to the \$400 billion that we have appropriated to make sure that we stay within the budget guidelines.

Mr. Speaker, I again ask the Members of this House to join me in voting for the prescription drug bill that will be before us later on this week. It is important, I think, not just for a State like Florida where there are many senior citizens, I have the fourth highest senior population in this whole Congress, but it is important to every senior who struggles to meet those prescription drug costs.

Mr. GINGREY. I thank the gentlewoman from Florida. The gentlewoman from Florida brought up a couple of, I think, really, really good points, and that is the fact that our seniors who are not on a plan, and they are probably close to 30 percent, by anybody's estimate, probably 30 percent of our seniors have absolutely no coverage whatsoever. They do not have so-called MediGap or supplemental insurance. They are not getting a retirement health benefit that includes prescription medications from their employers. Thank goodness, many in that group are not poor enough to be dual eligible; that is, eligible for both Medicare and Medicaid. Those dual eligibles, of course, have a prescription benefit. And so we do have maybe 65, maybe 70 percent of our seniors do have a prescription drug benefit, but even those, Mr. Speaker, probably spend at least 50 percent out of pocket, what they have to pay. That 50 percent when you are

talking about being on four or five or six pills a day and some of them costing \$9 and \$10, that mounts up in a hurry and that is where you get into these situations where people are having to choose between groceries and their medications. That is a very sad, dangerous situation.

I really appreciate the gentlewoman from Florida bringing up the fact that when these seniors go to their internist, to their primary care physician, indeed, yes, occasionally to their OB-GYN and get a prescription, but sometimes it is not just one prescription. They have these multi-system diseases. Sometimes there are two or three things that are failing at the same time. It takes these medications to keep our seniors healthy and well. So when they go to that pharmacist, as kind, as caring, as loving as the local corner druggist may be, they have got a handful of prescriptions, they do not have a plan to help them get a discount with volume purchasing and that sort of thing. There is no pharmacy benefit manager for them. They are paying sticker price. Our seniors know it. They are paying sticker price. It is pretty painful when they go back to that car and maybe they were only able to get half of that prescription filled or as we pointed out earlier, I think, one of the speakers mentioned that our seniors sometimes will ask for double the dose or maybe quadruple the dose so they can go home and get out that little pen knife and cut that pill in half or in quarters so they can stretch the budget, if you will. It is a very dangerous situation. Mistakes can be made, sometimes catastrophic, tragic mistakes.

The gentlewoman from Florida is bringing out a very important point, that these seniors are getting no breaks in the marketplace. We need to give it to them. That is what we are going to do in this prescription drug benefit under Medicare modernization.

Ms. GINNY BROWN-WAITE of Florida. If the gentleman will yield, actually in my district it is more like 50 percent of the seniors have no retirement prescription drug plan. I have many low-income seniors who have a little bit above their Social Security income, or just their Social Security income. My mother-in-law is a perfect example. She only has Social Security. If it were not for her children helping her, she would be one of those seniors making those very dangerous decisions. But not every family can help and not every family is willing to help. And so for the sake of the seniors who truly need assistance, this is the right thing to do and it is the right time to do it. I am sure that when we go home over the Fourth of July break that we will be hearing from our constituents throughout the Nation, thanking us for taking this step and keeping our fingers crossed that we come out with a great bill, between the Senate proposal and the House proposal that we truly will have a bill that will help seniors desperately in need of assistance.

Mr. GINGREY. I thank the gentlewoman. Mr. Speaker, no Member of this body understands this better than the gentlewoman from Florida. The Sunshine State is where all of us want to go to retire and live out a very, very healthy life there in that beautiful State of Florida. She has got probably a disproportionate number of her constituents who are our beloved senior citizens. She knows of what she speaks. I really appreciate her bringing that to us.

I would like to at this time recognize once again my physician colleague in the House, the gentleman from Texas.

Mr. BURGESS. I thank the gentleman for yielding. I would like to point out that when this Member retires, of course, he plans to go to the Lone Star State and make his retirement there, but his comments are well taken. The gentleman from Georgia knows this very well. He pointed out that an occasional senior will see their OB-GYN and, of course, they see their OB-GYN for monitoring and diagnosing conditions such as osteoporosis. Those medicines for osteoporosis, now fortunately a lot of those are administered on a weekly basis. But if a senior goes home with that prescription and finds it is too expensive to fill, the next time that doctor is going to be aware that the medicine has not been taken is when the follow-up bone density study is done 12 or 23 or 24 months later and no improvement or in fact a worsening of the condition has occurred because the medication could not be afforded by the patient, putting them at serious risk for hip fracture and all of the costs attendant with that. Of course as the gentleman knows, there is a 25 percent mortality within the year of that hip fracture for some groups of seniors.

This is a terribly important point. Although the gentlewoman from Florida is quite correct, there are some concerns about the cost of the bill, there are also concerns about the cost of doing nothing. Certainly the gentleman from Georgia and I both recognize that.

I also feel obligated to mention one other aspect, and we have talked about this before on the floor of this House, that is, of course, the bill H.R. 5 which we passed last March. Getting meaningful medical liability reform in this country will do so much to improve the affordability of not just Medicare but health care in general. The cost of defensive medicine in this country, according to one study that was done out at Stanford in 1996, is nothing short of staggering and it is really almost beyond my comprehension that we could expect to have any type of meaningful Medicare reform with cost containment without somehow getting our arms around the problem of the expense of medical liability in this country and the expense of the practice of defensive medicine.

Mr. GINGREY. I wanted to ask the gentleman, I am glad he brought that point up, about medical malpractice

premiums and what it is doing and, of course, has resulted in a lot of defensive medicine practiced not just by our physicians like myself and the gentleman from Texas, Mr. Speaker, but also by the hospitals, by our facilities who are forced to protect themselves, to order in many instances a lot of tests that they really feel are not absolutely necessary but it is done in the interest of defending themselves against possibly a frivolous lawsuit that could be devastating to either that individual practitioner or to that little rural hospital in our small communities, and like my 17 counties in the 11th Congressional District of Georgia, many of these hospitals as an example, these rural hospitals, disproportionate-share hospitals that see so many Medicare and Medicaid patients, they are going to end up closing their doors.

□ 2115

And I really appreciate the gentleman from Texas, that Lone Star State mecca where actually, as he pointed out, every day is a good day to be in Texas, not just during retirement years. But I wanted to ask the gentleman from Texas about the cost and what kind of estimates, if any, do we have on the cost of defensive medicine without getting a good tort reform bill passed?

Mr. BURGESS. Mr. Speaker, I am going to apologize to the gentleman from Georgia. I do not have those figures at my fingertips. The last time I looked at that study by McKissick out of Stanford, for two diagnostic groups within the State of California, only that being chest pain and acute myocardial infarction, the cost was in the billions; and when we extrapolate that over hundreds of diagnostic codes over the 50 States, obviously that is a significant number of dollars.

Mr. GINGREY. Mr. Speaker, to the gentleman from Texas, I appreciate that. And that is exactly right, when we extrapolate that, and I have gotten verification of these numbers from the gentlewoman from Connecticut, the chairman of the Health Subcommittee under the Committee on Ways and Means who has done so much work on this bill, and I really commend her leadership. She has indicated to me that defensive medicine is costing the Federal Government and indeed the taxpayers of this country \$14 billion estimated over the next 10 years. That would go a long way toward paying for this prescription benefit that we are going to be offering this year.

Mr. Speaker, the gentleman from Texas was talking earlier about the cost of prescription drugs and what we can do about that. Of course we are going to be providing a good prescription benefit for not just our neediest seniors. Of course the program is weighted toward them as well it should be, but we are providing a benefit for all of our seniors. But along with that, along with that, as the gentleman

pointed out, it is very, very important that we address this issue of the cost of prescription medication. I think most people in this country, certainly the seniors that have to go and purchase those expensive drugs, know that it is just too much; and we need to continue to work very hard, as the gentleman from Texas points out, to get the market forces working to bring the price down, to make the pharmaceutical industry compete, as well they should and they are doing; and that is what we want.

We do not want government price controls. We want the market to determine, and we want of course these businesses, pharmaceutical businesses to have an opportunity to make a fair profit to recover, as the gentleman from Texas pointed out, the tremendous cost involved in research and development; and that of course is something that I think is extremely important. But we definitely feel that the competitive forces of the marketplace will bring prices down. And certainly, as we pointed out earlier, when a senior is part of a group, as we know, with the wonderful organization many of our seniors have memberships in AARP and they have a drug discount card.

In fact, I would like to just point out if I can get everyone's attention on one of the posters to my left, this is the typical medical prescription card which seniors will have, and they will be issued by a number of organizations. And with those cards if we did nothing else, and we are doing much more, as we pointed out earlier, but if we did nothing else, just the opportunity to buy as a group and the force of the marketplace, it is going to bring down the price of prescription drugs for all Americans but especially for our seniors.

Mr. Speaker, I wanted to spend a little bit of time talking about the Medicare program; and of course the gentleman from Texas mentioned a little earlier that the gentleman from Georgia, myself, was there from the inception of Medicare, and my wife told me to be sure to let the Members of this body know that of course I was there from the inception. I was just a very precocious first grader, but I do remember very well in 1965 when the Medicare bill was first passed, and the emphasis then in most health care was seeing one's physician, occasionally of course being admitted to the hospital for a needed surgical procedure. Nobody thought too much really in 1965 about the fact that here in 2003 that people would be on maybe four or five drugs. The average person 75 years old could be on that much medication. So there just really was not the emphasis in 1965, but things changed. Things have changed in many other aspects of our society. When I was in college, we used a slide rule. Nobody even knows what a slide rule is today. Our automakers gave us an Edsel, and now we have the new and improved and revised and beautiful Thunderbird. We need to

do that with Medicare. We truly need to do that with Medicare.

I have been practicing long enough to see some significant changes; and I have seen managed care, health maintenance organizations with a great emphasis on preventative healthcare, preventative healthcare; and I applaud that because it is extremely important. If we wait to treat people when an episode of poor health or an accident has occurred, then it is so expensive, not to mention the tragedy and the suffering and the loss of life that occurs, but just the expense of waiting until a person is so sick and they show up in the emergency room, that paradigm has got to shift. That paradigm has got to shift.

I tell my colleagues in the House, Mr. Speaker, of my experience recently of going through so-called open heart surgery that I was faced with right after winning this election to the Congress, and now I am on five prescription medications every day. I am not a senior citizen yet. I am not Medicare-eligible. But I know they are very, very expensive, very expensive; and it just makes me think how important it would have been for me and how important it is for our seniors who maybe just turned 65 to be able to get the medications that they need to strengthen their bones, to prevent osteoporosis, to lower that blood pressure so they do not have a premature heart attack or a stroke and end up in a nursing home for the rest of their lives.

So things are changed. Society has changed. And now I do not think there are many physician colleagues of mine in this great United States who would not agree that a prescription benefit is every bit as important as a hospital benefit or a surgical benefit, and we have got to make that change. And that is what this President is doing. That is what this administration, that is what this leadership, what the gentleman from Illinois (Speaker HASTERT) and the gentleman from Texas (Mr. DELAY) and the chairmen of our committees of jurisdiction, the gentleman from California (Mr. THOMAS) of the Committee Ways and Means and the gentleman from Louisiana (Mr. TAUZIN) of the Committee on Energy and Commerce, and their subcommittee Chairs are bringing to us. They are bringing not just this prescription benefit, but they are also bringing an option for change so that our seniors can get the same health care benefit that we, Members of Congress, have available to us and that all Federal employees have available to them, to be able to go to enhanced fee for service or a Medicare advantage plan where there is an emphasis on preventative health care, where they can get a routine physical done, where they can get their blood screened for lipid profile and cholesterol so that we will know early, early on, if they are at great risk for developing one of these serious illnesses. That is what it is all about. Colonoscopies, mammograms,

things that will keep people healthy and prevent them from getting so far down the line with an illness that they cannot recover.

So that is what we call, Mr. Speaker, compassionate conservatism. That is what this President and this administration and this Republican majority and this leadership is all about, and that is what we are going to bring to the seniors of this country. We are going to bring a prescription benefit that is weighted toward the needy, that has a catastrophic cap; and, yes, that cap is going to vary depending on a person's income or net worth, as well it should. I think it is only appropriate that we take care of our neediest first, but all seniors need the same kind of benefit that I enjoy and other Members of Congress and Federal employees enjoy.

So that is a very, very big part of this program. It is not just providing a prescription benefit but also giving our seniors an opportunity and an option. Of course, they can remain in traditional Medicare, which we all know about a comfortable pair of shoes and we get used to something and change is difficult. I know change was difficult for me when I gave up a medical career to join the Congress and get on this rather steep learning curve. It is scary. It is scary, and maybe some of our seniors will decide to stay in traditional-fee-for-service Medicare, but they will have a prescription drug benefit. They will have the same prescription drug benefit.

What they will not have in that traditional paradigm is they will not have any catastrophic coverage. They will still have catastrophic coverage of course for the prescription benefit, but not for other costs involved like hospital stay or nursing home stay; and that is what we are trying to avoid by giving them an opportunity to join one of these other options where it is a competitive environment and an opportunity for these plans to compete against each other and lower the cost at the same time they are providing this preventative health care benefit like I mentioned, routine physicals, routine screening, and, yes, indeed, catastrophic coverage so that people who have worked all of their lives to build a little nest egg not become destitute and burdens on society in their senior years. That is not right. That destroys their dignity.

□ 2130

And if I do anything in this Congress, I am going to work hard to make sure that that does not happen to our seniors.

So in conclusion, Mr. Speaker, I want to thank my colleagues who are with me tonight to discuss this tremendously important issue. We do not have the perfect plan. Yes, bills can be improved, and that is what the committee process is all about. That is why we have two committees of jurisdiction and very intelligent people working on

this bill to perfect it. This is so much better, Mr. Speaker, this is so much better than what we have currently. I am just very proud of our leadership, and I am very proud to be supportive of the Medicare Prescription Drug and Modernization Act of 2003.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. LINCOLN DIAZ-BALART of Florida (during Special Order of Mr. GINGREY), from the Committee on Rules, submitted a privileged report (Rept. No. 108-174) on the resolution (H. Res. 292) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2555, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2004

Mr. LINCOLN DIAZ-BALART of Florida (during Special Order of Mr. GINGREY), from the Committee on Rules, submitted a privileged report (Rept. No. 108-175) on the resolution (H. Res. 293) providing for consideration of the bill (H.R. 2555) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPUBLICAN PRESCRIPTION DRUG BILL OUTLAWS BULK PURCHASING POWER TO NEGOTIATE LOWER DRUG PRICES

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). Under the Speaker's announced policy of January 7, 2003, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. LANGEVIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on the subject of this Special Order.

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

There was no objection.

Mr. LANGEVIN. Mr. Speaker, tonight I am pleased to be joined by many of my Democratic colleagues to discuss the lack of cost control provisions in the prescription drug bill before the United States House of Representatives, H.R. 2473. In particular, I feel that it is so essential that we call

attention to the fact that this bill does nothing to use the country's bulk purchasing power on behalf of our seniors to lower the high cost of prescription drugs, the purchasing power we should be using to ensure the lowest cost of medications for our senior citizens. Quite the contrary, this bill expressly forbids it.

Like many of my colleagues, I held a sincere hope that the 108th Congress would overcome the inaction that has plagued this issue at the expense of America's senior citizens for so many years. I am extremely disappointed that the bill before the House this week not only fails to offer a structured and sound prescription drug benefit for Medicare beneficiaries, but also contains provisions that threaten the stability of the program that has provided health benefits for millions of elderly people and young adults with disabilities for the past 38 years.

While we all come to the floor with a range of grave concerns about this bill, my Democratic colleagues and I join together tonight with the united message that the House of Representatives must take action to address the rapidly rising costs of prescription drugs. H.R. 2473 not only fails to address this crisis, it actually contains a noninterference clause prohibiting the Secretary of Health and Human Services from using the bulk purchasing power of Medicare beneficiaries to negotiate for the lowest prices for senior citizens, a tactic that has proven effective in the State of Maine and is developing in Illinois and in other States.

Like many other places in the country, my home State of Rhode Island uses bulk purchasing power for seniors eligible for Medicaid to negotiate discounts for this population. America's seniors have made it clear that they want the government to assist them in obtaining their prescription drugs at a fair price.

Now, it infuriates me that in a situation where we have over 40 million people with a common and basic need, instead of taking advantage of that purchasing power to negotiate the lowest prices for the most rapidly increasing component of health care, the Federal Government is considering outlawing that practice. Amazing. The Federal Government is considering outlawing that practice.

An analysis of H.R. 2473 by the Consumers Union shows that spending on prescription drugs continues to grow. In fact, if we do not take action to curb the costs now, seniors will pay more out of pocket in 2007 with the prescription drug benefit as is currently proposed than they are paying in 2003 without it. Yet, just last week, the Committee on Energy and Commerce defeated an amendment that would have repealed the noninterference provision and allowed the Secretary of Health and Human Services to negotiate with drug companies in a similar manner to that of the Secretary of Veterans Affairs and Medicaid programs. I

think that is something that is worth noting. It is already being done successfully with the Veterans Administration in providing a drug benefit to our veterans at very low cost, and the government is able to buy these at obviously a reduced cost, in making sure that our veterans get the benefit that they need, these vital medications that are so important in keeping them healthy. Yet we are going to prevent the Secretary of Health and Human Services from doing the exact same thing for the rest of the seniors in this country who are struggling to get by in paying for their prescription medications. It is simply counterintuitive.

Studies show that seniors in other industrialized countries are paying significantly less for their prescriptions than America's seniors. And, in this case, the short answer really does sum it up. It is because their governments took action to protect their interests when it comes to pricing prescription drugs. In Canada where citizens pay, on average, 50 percent less than the seniors I represent in Rhode Island, for the five most commonly prescribed drugs, the government uses the bulk purchasing power of its people to help them, and that is the way it should be. My constituents are paying 292 percent more, for example, for Prilosec than they would be in Italy where again the government uses the bulk can purchasing power of people to help them. Prices in other countries are not the result of government contributions or subsidies to drug companies; they are the result of governments using purchasing power of significant blocks of people to negotiate better prices. It is very basic.

Let us also look at another area while we are on this subject of using mechanisms to reduce drug costs. Another place where we can take action to reduce the high cost of medications is generic drugs. Last week our colleagues in the Senate took substantive measures in their Medicare reform bill to address the rapidly escalating cost of prescription drugs by easing market entry of generic drugs. In fact, their vote to do so was nearly unanimous: 94 to 1. At the same time, the House leadership, though, in a quest to push through a mere pretense of a prescription drug benefit, has failed to acknowledge that without measures to control the cost of prescription drugs, any benefit will deteriorate in value over time. America's seniors deserve better than this.

Mr. Speaker, it is amazing. The Republican leadership is so eager to subsidize the insurance companies and allow drug manufacturers to continue to exploit America's seniors in the name of the free market system, but is apparently unwilling to use that same free market system to allow the natural market force of 40 million individuals, our struggling senior citizens, to come into play.

The noninterference clause, a small section on page 250 of a 321-page bill,

must be brought to light. We must draw attention to the fact that any prescription drug benefit is rendered meaningless unless action is taken to curb the out-of-control costs of drugs that people need to stay alive.

I thank my colleagues who have joined me on the floor tonight to highlight the fact that at this very moment America's seniors are making choices between taking their medications as prescribed and putting food on their tables. Just this morning I joined Dr. Sarah Fessler and the Rhode Island Academy of Family Physicians in releasing a survey showing that a third of seniors in Rhode Island are relying on physician samples for their necessary medications, and 20 percent are failing to take them as prescribed because of costs, skipping prescriptions to make them last longer, and failing to refill them. The survey reiterates what we already know: that cost is the greatest barrier to seniors taking their prescriptions.

This situation, Mr. Speaker, will not fix itself. I urge my colleagues to pay careful attention to the details of H.R. 2473 and to think critically about the effect, or the lack thereof, it will have on the seniors in their districts.

Mr. Speaker, I am pleased to yield to the distinguished gentleman from Maine (Mr. MICHAUD), who in his first term has taken tremendous initiative by introducing the America Rx Act under which the Federal Government would act as a pharmacy benefits manager to negotiate low prescription prices for America's seniors, and it is very appropriate that he be the first speaker this evening, and I welcome him.

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

Mr. Speaker, this week we are prepared to debate a Medicare prescription drug package. We are focusing all of our energy on trying to pay for expensive prescription drugs. But one important aspect of this debate is missing; that is, finding a way to make drugs less expensive to begin with.

The fact is that drug prices continue to rise and are spiraling out of control, forcing more people to choose between medicine and food. Talking about paying for prescription drugs without talking about prices is like going to a grocery store telling them to fill up your cart and handing them a blank check. We are letting the company decide how much to charge and then we are proposing to have the government foot the bill.

Last month, I met with a group of seniors in my district in Bangor, Maine who were on a bus trip to Canada so they could buy the medicine they need at a price that they could afford. And guess what they saved? Out of 18 senior citizens, they saved over \$19,000, just by crossing the border. That is a crying shame.

Like most Members of this House, I believe that expanding access to prescription drugs is one of the most important issues that we face. That is why I have taken the creative Maine Rx approach, which just received a favorable ruling from the United States Supreme Court, and brought it to this Congress.

Earlier this year, in an attempt to make prescriptions more affordable for all Americans, I introduced H.R. 1694, the America Rx Act of 2003. America Rx uses the power of the free market to negotiate lower prescription prices for all Americans who lack adequate coverage, similar to what they do in the Veterans Administration. We are the only industrialized Nation that does not negotiate lower cost for prescriptions, and it is time for a change.

Like Maine Rx, America Rx is a fresh approach that will not cost the taxpayers a single dime. This approach is simple, it is fair, and it works. It is time for America's seniors to gain access to affordable, lifesaving prescription drugs. We will be doing all Americans a disservice if we do not include ways to contain the cost in the upcoming debate.

Mr. LANGEVIN. Mr. Speaker, I thank the gentleman. Again, I share wholeheartedly in the statements that he has made, and I want to commend him for introducing H.R. 1694, the America Rx Act. Again, as the gentleman states, this bill establishes an America Rx program to establish fair pricing for prescription drugs for individuals without access to prescription drugs at discounted prices and, as the gentleman said, modeled after the Maine Rx program, by the Federal Government acting as a pharmacy benefits manager to negotiate the lowest prices. This approach uses the power of the free market to allow millions of American senior citizens, with no access to discount, to pool together and negotiate as one block. I cannot see what could be more basic than that. That is what certainly this Special Order is all about tonight.

I am now pleased Mr. Speaker, to yield to the gentleman from Maine (Mr. ALLEN), who has shown tremendous leadership on this issue by introducing the Prescription Drug Fairness for Seniors Act, which would require drug manufacturers to allow pharmacies to purchase drugs for resale to Medicare beneficiaries at the same price equivalent to the average foreign price based on the price consumers pay in six other industrialized nations.

□ 2145

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding, and I thank him for his leadership in holding this Special Order tonight.

Many people across the country are really confused about what all these prescription drug plans mean for them. They are trying to sort out whether the Republican plan or the Democratic plan or whatever plan may be up, how

it might possibly help them in the future. And, frankly, you cannot blame anyone for being confused out there because there are so many descriptions flying back and forth. But it is worth highlighting one that the gentleman from Rhode Island (Mr. LANGEVIN) highlighted before and my friend, the gentleman from Maine (Mr. MICHAUD) was mentioning as well and that is the way these two approaches treat the subject of price.

It seems that in every instance the Republican plans do everything they can to avoid trying to reduce prices; and, obviously, that is consistent with what the pharmaceutical industry wants. But the most remarkable thing about the prescription drug proposal made by the Republicans here in the House is actually like the Senate bill; it contains a provision essentially saying to the Secretary of Health and Human Services, you shall not negotiate lower prices for Medicare beneficiaries. And what are they afraid of? What are they afraid of?

Every private insurance company in the country tries to negotiate the lowest prices they can for themselves and for their beneficiaries. It really makes a huge difference. But here you have the Republicans in the House saying you cannot negotiate lower prices. They might as well say to the Federal Government, to Health and Human Services, we think you should pay higher prices to the pharmaceutical industry. Above all, we do not want the pharmaceutical industry to be paid less.

I did not bring them tonight, but I have some charts that go back in history; but they show that over the years every time there has been a major effort to improve the ability of seniors or anyone else to get their prescription drugs, they show that the pharmaceutical industry comes in and says, if you do this to us, if you make generics more widely available, if you have a rebate program under Medicaid, those are the two major developments over the last 15 years, if you do either one of these things, then we will have to cut back on research and develop.

And what happened in the aftermath of those acts? The 1988 Hatch-Waxman Act, which made it easier for generics to get into the market and in the mid-1990s a provision that basically capped Medicaid prices. In both cases, the industry said, we will have to cut back on research, and in both cases what the industry did was dramatically increase funding on research.

The truth is that all of this fear about what the pharmaceutical industry will do is misplaced. What our people need is very simple. They need lower prices.

Now, our seniors pay the highest prices in the world, the highest prices in the world for their prescription drugs. Here you have the biggest health care plan in the entire country, Medicare, 40 million beneficiaries, obviously some real ability to leverage

lower prices; and the Republican bill in the House explicitly says we will not allow the Secretary to negotiate for lower prices. That is not where our home State of Maine is going. That is not where private insurance companies go. It really is completely off the wall. There is absolutely no reason to do that.

But when you look at the Republican plan in the House, you can also see that the benefit is not very good. It is really not very much. For example, if you pay, if you wind up with \$4,900 of drug expenses in the course of a year, you are going to wind up paying about \$3,600 of that all by yourself. For many Americans, for those whose drug expenses are less than \$1,367 a year, all of those people, if they sign on to this plan will pay more in than they ever get out. It will not make any sense for them. And it is also true between about \$2,400 and \$4,900; those people will lose money as well. It is because the benefit is completely inadequate.

Now, we have our friends on the Republican side coming down here and saying what this country needs, what our seniors need is the same kind of prescription drug benefit that members of Congress have. Well, if that is what they need, why not provide it for them? Why not give them a prescription drug benefit more or less like we have, one with an 80/20 co-pay, for example? But they will not go there. And there is a reason why they will not go there. They cannot go there. They have given all the money back. They have basically got tax cuts; if all of their plans go into effect, they will have reduced tax revenues over 10 years by about \$4 trillion. No wonder there is no money left for a real prescription drug benefit under Medicare. No wonder there is not enough money to fund Head Start or not enough money to fund special education or not enough money to even fund the President's initiative, No Child Left Behind. They have given the money back to people who earn over \$370,000 a year.

Now, I suppose some people would say that is a very needy group; but it is hard to figure out, particularly when you have seniors all across the country who are choosing between food, rent and prescription drugs. I mean, there are so many stories; they cannot all be repeated. But I know one couple where he takes his medication one month, she takes her medication the next month because they cannot possibly pay for both of them. And that is why so many people in Maine and across the country now get their prescription drugs through Canada.

What does Canada do? Why is Canada so special? The bill I have introduced, H.R. 1400, the Prescription Drug Fairness for Seniors Act, basically says to the pharmaceutical companies, you cannot charge Americans more than the you charge the Germans and the French and the British and the Italians and the Canadians and the Japanese, the other 6 countries in the G-7.

Just take the average foreign price, you cannot charge more to our people, our Americans, than you do to those people in those other countries. It is that simple. And yet that is exactly what the Republicans will not do. They simply will not go there because their friends in the pharmaceutical industry cannot abide the thought of having the government do what the insurance companies do, which is negotiate lower prices.

We hope, in the State of Maine, and we hope across the country that people will finally understand that unless the government works to negotiate lower prices, our seniors will continue to pay the highest prices in the world. It is not right, and it needs to change. But it will not change in this House this week when the Republicans pass their prescription drug bill because they will talk about choice, but there is not much choice out there.

The President was out on the stump not so long ago and he said, we want seniors to have the kind of choices that members of Congress have, choices among many plans. Well, in my State and many States, guess how many choices I have? One. I have one plan in the State of Maine, one health care plan that I can choose. One. Not two, not three, not ten. One. And that is all there is. And this is what this bill promises. This bill promises, they say they are going to try to give the insurance companies enough money so there will be two plans in every district; but, in fact, this is a product that does not exist, this kind of insurance on prescription drugs. It looks and feel like another way to get past the next election, to have a plan. It does not take effect until 2006. What are we really talking about?

We need to reduce prices for our seniors. We ought to do it now. I thank the gentleman; I appreciate his time and leadership on this issue.

Mr. LANGEVIN. Mr. Speaker, I thank the gentleman for his words and for his leadership on this issue. He was very eloquent tonight, as he has been so many times in the past in addressing the prescription drug problem, in fighting for our seniors. I commend him for his service in this House and for his work on this issue.

I am now, Mr. Speaker, very pleased to yield to the gentleman from Illinois (Mr. EMANUEL), who has consistently worked to reduce prescription drug costs through targeted market reforms, a freshman Member of this House who has already shown his compassion for seniors and his leadership. I thank him for being here this evening.

Mr. EMANUEL. Mr. Speaker, I would like to thank my colleague from Rhode Island.

Tomorrow in a bipartisan fashion with about six Republicans and six-or-so Democrats, we will be introducing an amendment to the prescription drug bill that focuses on bringing competitive forces to the pricing of prescription drugs so we can make prescription

drugs affordable to not only our elderly but our American families.

I think one of the things that is missing in this entire debate, in this entire strategy, is how to make drugs and prescription drugs more affordable and more accessible to people. How do you do that?

There are three parts to this bill. The first part would bring generic drugs to market quicker so name-brand drugs and pharmaceutical companies cannot employ frivolous lawsuits to keep generics off markets. If you had competition between generics versus prescription drugs, you would bring prices down from name-brand drugs.

The second portion of that bill, and that portion of the bill has been adopted by the Senate and also enjoys bipartisan support in this Chamber as it enjoys in the other Chamber. The second, as my good colleague from Minnesota, a Republican, a good colleague, enjoys overwhelming bipartisan support and also adopted in the Senate in bipartisan fashion, was the market access bill. It enables consumers, elderly as well as other families, to buy medications, Canada, Mexico, Israel, Italy, Germany, France, Netherlands, Great Britain and all of those countries, the same name-brand medications sold here in this country are sold in those countries at 50, 60, 70 percent reduced prices, but they are American-made medications.

Now, if we can import steel, we can import cars, we can import software, we can import wheat, food products and everybody always wants to espouse the virtues of globalization, well, let us allow them globalization to bring prices down here at home for prescription drugs.

Globalization is not supposed to be a one-way road just for corporations and their bottom line. Globalization is supposed to work for consumers. So allow globalization to work so if you can find that drug in the German market or the British market for cheaper, you could be allowed to buy it. It is called market access. So competition between generics versus name-brand. Allow us to buy products in West Germany or Canada or Mexico, wherever you can find them cheaper. Allow the global marketplace to determine the best price for the consumer.

The third portion of the bill is a bill that allows, take the family of drugs for cancer or AIDS. Every one of the medications on the market today was developed with government research, taxpayer money through the NIH. Allow the NIH to get a 10 percent royalty for that investment back to the taxpayers. You would do that, and in 10 years the NIH would be fully self-funded. It is one of the great venture capital arms in the entire world.

I worked in the private sector. We used to believe you look for a 30 percent IR, which is an investment return on your equity. Anything below a 30 percent return was considered "dumb money." And we have been treating the

taxpayers like dumb money. Give the taxpayers a minimum of 10 or 15 percent return on their investment, and the NIH would be fully funded in 10 years through investment royalties.

In addition to that tax-funded research, whether it is in cancer, AIDS or any medication out there, today the taxpayers subsidize research through the R&D tax credit, research and development tax credit. And so not only are the taxpayers in this country paying on the tax credit on the upfront side through NIH funded research, but on the back side through research and development tax credit. We are paying for it twice. And the only benefit left to the American taxpayer is they get to pay the highest price for that drug when it comes on the market. They fund the research, and they get to pay the highest price.

□ 2200

The pharmaceutical industry in this country has been treating the seniors of this country and the American families with sick children as their profit guinea pig. They earn their profits off the back of Americans who have paid for the research.

It is my view what is missing is we need the market forces to bring the prices down so they are more affordable and more accessible to our elderly. If we are going to spend \$400 billion on a prescription drug bill do my colleagues not think we want to get the most for our money? So in my view what is missing from this debate, what is missing from this discussion, what would make sure that we spend our \$400 billion wisely is a market forces of competition from generic to name brand, prices overseas in Europe to American prices and then a return on our investment. That would bring real competition, and therefore, we would have the market forces working on behalf of the taxpayer rather than against them.

I am proud that we have a bipartisan bill, a lot of Republicans on it, a lot of Democrats. I think it represents our common values, but a number of people in this Chamber who will always be up here, we will hear them on every other debate, espouse the virtues of a free market. I am going to allow free market to reign. I came from the private sector. I think it is a wonderful thing.

I do not fault the pharmaceutical industry. They bought and paid themselves out of a free market when it comes to name brand versus generics. They have bought themselves out of a free market when it comes to preventing consumers from buying things in other marketplaces like they do any other product, and they have treated us like nothing but chumps when it comes to getting our tax dollars to fund the research. Yet they get the profit and we get the biggest payday with the highest prices.

So it is my view that if we bring the market forces to bear we will make drugs affordable, and most importantly, because the government will be

funding the research as they do today, we will guarantee that those drugs continue to come to market and America stands as number one in the area of research for new drugs, new medications to cure other illnesses.

The Boston Globe did a story, and I will bring this back up. Thirty-two out of 35 of the drugs that they targeted were developed with NIH or FDA funding. We can make the whole NIH which is \$26 billion fully self-funded. The last time in 1984 is when we passed a bill to get bring generics to market. Are we saying in close to 20 years our laws do not need an update, what it means to accelerating this research, that our laws allow pharmaceutical companies to keep generics off the market?

So we can do this, we can make the medication on our \$400 billion we spend on a prescription drug benefit go farther, insure more people, get benefits and drugs cheaper to seniors, if we would allow the free market to reign when it comes to the pricing of drugs.

I know my fellows on the other side of the aisle believe in the free market. I am just going to give them a chance to put their money where their mouth is, and I look forward to the support of others in this area. I am pleased that my colleague organized this today because we focus the country on this. We are going to do I think what is right, get a prescription drug bill, but just because we do it does not mean it is right. It is how we do it that determines whether it is right.

I am pleased that we have support for all this. It is the right type of area. It makes sure that we have affordability. It makes sure, too, that we stay in the frontlines of having the best medications developed because we have been focusing on the taxpayers funding this research, now we are going to guarantee we get a return on our investment. As long as they want that tax R&D credit, which they should have, the pharmaceutical companies, we are going to make sure we get a 10 percent, 15 percent royalty on those dollars we invested.

Every cancer drug on the market today was funded by the taxpayers. Corporations got the profit and we got the biggest bill in America. Our brothers and sisters and fellow consumers in Germany and England and France are enjoying the benefits of taxpayer funded research. They are paying minimal prices at 50 percent, 60 percent less than we are. We are paying the highest price. They get the drugs for a cheaper price, and the corporations in America get the profits, and we get to pay the highest bill.

As we would say in Chicago, such a deal. That is what has happened.

So we need to take this three-step approach, all of it based on the principle of the free market. We bring the free market, we bring competition, it will drive prices down, spend \$400 billion, reach more seniors with better affordable prescription drugs, and we will make the medications more accessible,

more affordable because they will be cheaper in price.

Again, I want to thank my colleague from Rhode Island for organizing this and bringing the attention to this issue and allowing all the different perspectives to be brought to bear here in this Chamber.

Mr. LANGEVIN. Mr. Speaker, I thank the gentleman from Illinois for his very powerful words on this debate. I could only wish that every taxpayer in America could have heard those words tonight, along with our seniors, because it really crystallizes the debate itself, and I know we are going to be working on this together, both tomorrow, the rest of the week and until we bring this issue home. I thank the gentleman from Illinois for his comments.

That is an important aspect of this debate, the fact that taxpayer dollars have funded so much of this research, have developed these medications, and the only thanks that our taxpayers have received in return, our seniors have received in return, is high cost prescription medications that they cannot afford. That is outrageous and it is wrong.

We, as a compassionate Nation, as a determined people, have to do something about it. We have to change that and we have to make our prescription medications within reach for our seniors. No senior in America should have to make the choice between food and medication or paying their rent, not when it was their taxpayer dollars in the first place that helped develop those medications.

Mr. Speaker, I said earlier in my remarks, and each of the speakers tonight have again reiterated the argument, that we should let the free market system determine the cost of these medications, and by that, as I have said before, it means allowing our seniors to join together, use their bulk purchasing power to negotiate the lowest cost price for these medications. No prescription drug benefit should be passed by this House without that being a major component of that bill. No other insurance company, no other private insurance plan would have a prescription drug benefit without that component contained within it, and neither should one pass by this House.

Who does it benefit to pass a prescription drug benefit that does not include a component that uses the bulk purchasing power of this Nation without it being present in the bill? Is it the taxpayer? Well, certainly not because they are not getting the lowest negotiated price. Is it the seniors who are struggling to afford their medications? Well, certainly not.

It is the insurance companies, though. It is the pharmaceutical companies who do benefit: Let us keep the prescription drug prices high, let us keep the profits outrageously high, let us not be able to use bulk purchasing power that would negotiate a lowest cost price for our seniors, no, because

that means that the pharmaceutical companies, the insurance companies, are out profits. That is simply wrong, Mr. Speaker, and I hope that my colleagues on both sides of the aisle will recognize this argument for what it is and do the right thing by our seniors.

Let us do what is done in Canada, in Great Britain, in Italy, in Japan, nations that for their seniors use their bulk purchasing power to bring down the high cost of medications that allows their people, their seniors to get the medications that they so readily need to stay healthy, which in many ways are wonder drugs and have become a replacement for surgery, but again, what good are they if our seniors cannot afford them? They have recognized that in Canada, in Great Britain, Italy, G-7 nations. We need to recognize that here in America.

Mr. Speaker, I thank my Democratic colleagues for joining me tonight to bring attention to this critical component of an issue that we all continue to debate throughout this week. In particular, I want to express my gratitude to the Members who have been persistent in supporting stand-alone legislation on the topic of rising prescription drug costs in recent years.

While it has yet to be brought to the floor, there is significant support in this Chamber for several pieces of legislation that would control prescription drug costs. We have heard about some of them. Tonight, we heard of the gentleman from Maine's (Mr. ALLEN) bill, H.R. 1400, the Prescription Drug Fairness for Seniors Act, which would significantly reduce prescription drug prices for all Medicare beneficiaries by requiring drug manufacturers to allow pharmacies to purchase medications for resale to Medicare beneficiaries at a price equivalent to the average foreign price based on the prices consumers pay in six other industrialized Nations. This legislation would provide up to a 40 percent savings on prescription drugs.

There is also bipartisan support for the Greater Access to Affordable Pharmaceuticals Act, which would speed the market entry of generic drugs by closing loopholes that are being used to lower priced competitors in the marketplace. We have heard about this this evening as well.

It is the right thing to do, to look at all of these options for controlling the high cost of prescription medications. We owe it to our seniors to look at this and do the right thing by them. We owe it to our seniors to fight for these cost controls.

Again, I ask the Republicans in this House to champion an issue that they have always championed and that is using the free market system, allowing the free market system to operate, to come to an equilibrium price. If we do that for our seniors, then everybody wins and we will have bipartisan support on that effort. It is the right thing to do. It is my sincere hope that the Republican leadership will see the light

and allow Members to offer these bills and other amendments to the Prescription Drug and Medicare Modernization Act of 2003.

I will continue to work with my Democratic colleagues to promote legislation that will provide substantial medication savings for our seniors rather than the high profit margins for drug and insurance companies.

Mr. Speaker, I thank my colleagues who have joined with us tonight in speaking on this important issue.

ELIMINATION OF THE DEATH TAX

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). Under the Speaker's announced policy of January 7, 2003, the gentleman from Colorado (Mr. MCINNIS) is recognized for half the time from now until midnight.

Mr. MCINNIS. Mr. Speaker, I wanted to take a little time this evening to discuss an issue which I think is very basic but fundamental to American families, to the dream of American families in this Nation being able to pass on through their hard work, one business or a farm or a home or some type of asset from one generation to the next generation.

Unfortunately, in this country we have put into our tax code one of the most unfair, unjustified taxes that any tax code could have, and that tax is called, for short, the death tax. It has got a fancy word which they say the estate tax, but in fact, what it is is it is a tax upon a person's death. It is not a tax that is invoked for any other reason but for the fact that a person has died, and the moment they have died, the government, the State Government and the Federal Government, of course led by the Federal Government, shows up at the grave site and tries to get into that person's estate and invoke this death tax.

There is a little history to the death tax. The death tax, as I said, from any scholarly point of view, from any economic point of view, from any business point of view, if we take a look at the death tax, there truly is no justification for it.

□ 2215

On top of the fact that there is not a justification for the tax, under any economic sense, any economic study, on top of that, the tax is also at least a double taxation. Because the death tax is not a tax on property that has been accumulated during one's lifetime upon which no tax has been paid. When this property is accumulated by an individual, tax is paid either at the time of the accumulation or at the time of the sale. So this tax is not an attempt to collect some tax that for some reason or another has evaded the tax man's notice. That is not what this tax is about. This is a tax that is a tax on property that has already been taxed, and, in some cases, more than once. In some cases, two or three times.

Now, look, everybody agrees that we should carry our fair share of the bur-

den. Nobody disagrees with that. We know that to operate a government, to operate a military, to operate the needs of the government that we have to have some revenue. But we determined a long time ago that that taxation ought to have at its fundamental core the word fairness. It ought to be fair. And time after time we have said, including in recent action by this body of the Congress, we have said time after time after time that double taxation hardly fits within the definition of fairness. It is not fair to tax somebody twice on the same property. And that is exactly what the death tax does.

Now, I believe that the death tax is a pretty good issue that shows a fundamental difference between the Republican Party and the Democrats. In my opinion, all of the Democratic candidates that are running for the Presidential office here in a couple of years support the death tax. Every Democrat, to the best of my knowledge, the Democrats that in this House or in the other body in the U.S. Congress that have a net worth of more than \$1 million and that voted against elimination of the death tax have already done trust planning. So they do not have to pay the death tax.

We have people, for example, not just Democrats here in the House or on the other side, but we have other people out there, whose party affiliation I do not know, for example, Warren Buffett, and people like Bill Gates's father, and these are very, very wealthy individuals, and these are individuals who stand up and say that we ought to keep the death tax in this country. What is ironic about this, and frankly, in fact, a little hypocritical almost, and if it were not so serious it would be amusing, but I can remember several months ago where at one of these parties, and I think it was Bill Gates, Sr. who was doing an interview about how as a very wealthy individual, from a very wealthy family, that they supported the death tax. But where was he doing the interview from? He was doing it in the offices of their foundation. And what is the purpose of that foundation? The purpose of that foundation is to avoid the death tax.

So there are some very wealthy people in this country who, along with the liberal side of the Democratic Party, say we support the death tax, we think it is fair to have a death tax; but the reality of that is that if they have any money of their own, these individuals have already created foundations or have done trust work so that they largely avoid paying any kind of death tax. So that is not the kind of source we want to look to for some type of scholarly view as to whether or not a death tax is justified.

I do not look to the ivory towers of our universities to come up with some conclusion as to whether or not we should have a death tax. Where I look is, I go out into my district. I go out across this country; and I talk to the

people who have worked hard, who have wanted to accomplish the American Dream. And one of the American dreams, and I think pretty much all my colleagues at some point or another in their life have had this dream, and that is to become successful, to be successful to the extent that they are able to help the generation behind them, their kids, their children; to be able to give them a start; to be able to maybe help them enjoy part of the life that they have enjoyed.

And for the sake of disclosure, Mr. Speaker, let me just mention that in my family, on my wife's side of the family, they have a family ranch. They have been in the ranching business since the 1860s or the 1870s out in Colorado. This is a beautiful ranch. It is beautiful not just in its physical characteristics, but it is beautiful in that the family, generation after generation after generation, has loved the land and has been able to stay on the land.

Now, in the past hundred years or so, or 50 years, ever since the death tax has been in place, one would think we live in a socialistic type of society where there is some kind of punishment for dying; it seems we want to make sure the family behind you does not have that opportunity to be able to live on that ranch and work the land like this family, the Smith family of Meeker, has done for generation after generation.

I can find example after example, Mr. Speaker. So one might ask, how did the death tax come about in the first place? Well, the death tax was designed to be a punishment against the wealthy, those very wealthy icons around the turn of the 19th century, the Ford family, the Carnegie family, the Rockefeller family, people like that. In society at that point in time there was such a large division between the very, very wealthiest and the population as a whole that somehow the politicians were persuaded that there should be a punishment in this country.

Here we are, in our classrooms, teaching that this is the greatest country in the history of the world, in part because we encourage innovation, and innovation has as its basic incentive reward. An individual is rewarded for innovation, that in our country if you invent a cure for cancer, you can become wealthy; in our country if you make a better seat belt, or as the old saying used to be, if you make a better mousetrap, there is incentive out there. We do not live in a socialistic society where no matter what you contribute, your share of the pie is always equal. That is not what we believe in. That is why socialism will never equal capitalism. But the reality of this tax is that somehow way back then the politicians decided to punish the wealthy people of this country, those few wealthy families.

What they never imagined was that it would not just punish the wealthy. In fact, it would not really punish

those wealthy people at all, because most of those wealthy people throughout time, including today, including the Gates family, and I have respect for their accomplishments, although I disagree with them on the issue, but it does not really punish them because they are able to hire hundreds, or whatever numbers, of attorneys to get them out of it. Where it is punishing Americans is in the middle class of America.

You do not have to be wealthy to be hit by this thing. Prior to the Republican movement, led by our President, in which we at least begin to phase out the death tax through the year 2010, prior to that all a person really needed to own free and clear was, say a bulldozer, a dump truck, a pickup, and your office building for a little construction company. And guess what, your family was going to face the death tax upon your demise. This is a tax that is directed at the middle class of America, and it is a punishment tax so that the middle class of America, again because the wealthier class is able to plan around it, this is designed to take the middle class of America and make sure that instead of encouraging family businesses or family farms, instead of encouraging that to go from generation to generation, it serves as a punishment.

Now, let me just say that in the last 2 weeks this House once again said that we should take the elimination of the death tax, which is totally eliminated in 2010, but, unfortunately, comes back in full force in 2011, once again this House last week took action to permanently eliminate the death tax. And, frankly, I am stunned, not surprised, but I am stunned that we did have 44 Democrats, and I am not trying to get partisan on this issue, but let us call an ace an ace. The fact is this is one of the differences between the Democratic Party and the Republican Party, and that is the death tax; but I can say that 40 or 44 Democrats last week came across and voted with the Republicans to permanently eliminate the death tax. The rest of those Democrats did not come across. They support this tax. And it is a debilitating tax on the middle class of America.

Mr. Speaker, do you know what happens to some of these farms in my area that have to be sold for death taxes? They are not sold for ranches or farms. I live in the mountains of Colorado. That is my district. What happens when these farms or ranches are sold, they are turned into 35-acre ranchettes. They are turned into condominium projects. The open space that makes Colorado beautiful, that makes most of us in this room want to vacation in Colorado, gets turned into condominiums. Why? Not because of some greedy rancher that wants to make money. The Smith family could have made a lot of money a long time ago. But it is because our very own government forced this family to sell that ranch so that that ranch, the pro-

ceeds from the sale of that ranch could be used to pay the government.

Now, I have heard the argument, and I want to explore the argument a little, but I have heard the argument that, well, we need to spread the wealth. This is class warfare, and we saw it during the debate on the tax credit a couple of weeks ago; we saw it on the vote of the death tax. The Democratic philosophy, and let us lay it out here, the Democratic philosophy is more of a transfer system. If you get somebody that makes money over here and somebody does not quite make it over here, you ought to do some transfer to try to make them equal. But I can assure my colleagues that just works as a disincentive. We cannot have everybody be equal economically, or we would never have any incentive for someone to do better.

When we take a look at the arguments being used by the Democratic Party, by the liberal leadership over there, and I am talking about the minority leader, who is an ardent supporter of continuing this death tax, their argument is, well, gosh, what we do is we take from a wealthy family, and again let me remind everyone it is, in most cases, not a wealthy family, in fact this tax comes from middle-class families, so what they say, well, we get it from the people who have the money and we give it to people that are more in need of the money. Let me give an example of what happened to a family I know out in Colorado.

Mr. Speaker, I will not use the names of this family; but first of all, the father, the husband and wife started out with the wife as homemaker. He started out as a janitor in a construction company. Eventually, over 4 or 5 years, he became the bookkeeper of the construction company. Pretty soon, he was able to borrow enough money to buy the construction company. Pretty soon he had 5 or 10 people working for him. Then, 10, 20, 25 years later he was the largest investor in the local bank, he was the largest contributor to the local church, and he was the largest employer. Hundreds of people worked for him in the community. He was by far the largest contributor for everything from United Way to the Boy Scouts, to the Girl Scouts, to whatever. What happened, unfortunately, his wife got cancer and passed away. And then, unfortunately, my friend got terminal cancer as well.

Now, what happened is he sold the bank, the interest he had in the bank, and he got hit with capital gains taxation. Which again, fortunately, in the latest tax cut, we have reduced that to 15 percent. And I commend the President, the Speaker of the House, and I commend the majority leader in the Senate for leading the way on getting this capital gains reduced so that we can help bolster this economy.

□ 2230

But back to my story. In this town what happened was my friend sold the

interest in the bank and got hit with capital gains. Shortly after selling the family interest in the bank, he was diagnosed with terminal cancer and died 3 months later. The estate tax when combined with the death tax on top of the capital gains tax, that family was taxed 71 cents on the dollar. That does not mean that the family was able to take 29 cents on the dollar, that is not what happened because they were not able to realize the true value of their assets because their assets were sold at a fire sale. They were forced to sell.

The family told me they thought they were able to keep a property that they had already paid taxes on in many cases more than once, on property that their father and mother had accumulated over a 65-year period of time, they were able to maybe keep that family for the next generation about 18 cents. How did they get the money, they had to sell the construction company. They had to stop contributing to the local charities, lay off employees, and sell transferable assets that were moved out of the community.

What happened to that money in this case? Did that money stay in that local community? It did not. It did not stay in that community. This is one of the bad things outside of the fact that the death tax is unfair. That money did not stay in that local community. That money was transferred to Washington, D.C. When it went to Washington, D.C., how many cents per dollar do you think ever went back to that tiny community in Colorado once it got back here to the bureaucracy? Probably nothing or some small fraction.

But what was the impact on that community when they took those properties and transferred it, simply because of the reason that the person, the two people that had earned it had died, that is the only reason this punitive tax was put in place, what happened, the church which he and his wife contributed 70 percent of their budget to, there were no more donations to the church. The employees lost their jobs. The construction company was forced to be sold. My understanding is that the construction company ownership, they then moved the construction company out of town. It hurt that community at different levels all throughout that community.

Mr. Speaker, it pokes a hole in the liberal argument. It is almost like a socialistic-type approach that we ought to tax these people that are wealthy or upper middle class that die, it is good for the community. It was not good for the community. It devastated that community. Let me remind my colleagues here, we are not talking about somebody who had not paid their taxes. They had paid taxes year after year after year. This was not untaxed property. The only reason that property was hit with the death tax was because of the fact that a death had occurred. That was the trigger event. That is what caused it.

Let me step back and tell Members, it is not just that community alone. I

brought letters over. In the United States Congress, we get letters every day. I grabbed a few of them about the death tax. I want to read some of them.

Dear Congressman, We have operated a family partnership since the middle 1930s. My parents died 5 years apart in the 1980s, and the estate tax on each of their one-fifth interest was three to four times more than the total cost of the ranch which was purchased in 1946.

Mr. Speaker, this family bought a ranch in 1946 and the death tax when the husband and wife died was four to five times the original purchase price of the ranch. Tell me how one Democrat could vote to continue this tax. As I said, 40 some of the Democrats voted to get rid of this tax, and I commend those 40. But for my other colleagues, and I say this respectfully, but for my other colleagues on the Democratic side who refuse to join the Republicans and the 40 conservative Democrats, how can you look at this family, how can you go to this family and justify this kind of tax on that property, on that family farm out there in middle America?

Let me go on. Here is another letter. I am a student at the University. I grew up in a family that has lived and thrived in agriculture for many years. My parents and grandparents are involved in a typical family farm, a farm that has been in the family for more than 125 years. Grandpa is 76, and in the last years of his life. My parents have been discussing this situation for the last several months. My parents worry about the death tax and about how they are going to be able to keep the farm running once grandpa passes away. The eventual loss of my grandpa will trigger this death tax on the family's farm. My parents hope that they will be able to pay the tax without having to sell part of the farm that my family has worked so hard over all these years just to keep the ranch together, just to make it so it can operate at a profit. The outcome does not look good, however.

Mr. Speaker, farmers and ranchers are having enough trouble, and we are not just talking about farmers and ranchers, we are talking about small businesses, we are talking about the American dream. We are talking about a lot of families in America. Finally, through our leadership here, we were able to at least for a period of time begin to phase this tax out and eliminate it in 1 year. But unfortunately, because we could not get the votes on the other side, this tax comes back in full force.

Going back to the letter: Farmers and ranchers are having enough trouble keeping family operations running the way it is. My family has worked very hard to keep the family farm running this long. We feel like we are being penalized because one of our family members has died.

Here is another letter. This letter is not a plea for help, Mr. Congressman. Although I am not a victim of this tax,

I appreciate the effort against it. I firmly believe that Congress and the government at large needs to recognize that America's future is and will always be firmly rooted in the success of small business. Many of these businesses are family owned, and they need the next generation to continue them into the future. I spent a few years working for a small, family-owned business. Not just myself, but several workers depended on the income that they derived from working for this small business. I fear for these workers when the tax man comes knocking. This tax has claws that rip at many people, and then the immediate family of the deceased has to worry about whether or not they can even continue the business, about the punishment that is being dealt to them by the government. It has a huge impact on the employees of the family business. I hope that people recognize this and will have an opportunity to eliminate it.

Here is another letter. As you know, farming and ranching is no slam dunk. If our farm is ultimately faced with the death tax burden, there is absolutely no way we could ever afford and justify holding onto this farm. This in turn will prevent us from: 1, keeping the farm for future generations; 2, keep it from becoming just one more development out in the middle of the country; 3, keep us from making it available to the deer and elk; 4, keeping it unavailable for other uses, for multiple use. You need to know, Congressman, we are only able to meet the daily operating cost of our farm under the present economic conditions of agriculture. Unless there is positive action taken by Congress on the death tax, we will start making the necessary plans to arrange our affairs so the family is the ultimate winner of the lifelong struggles of both my parents, Roberta and myself. There is no way we will allow the IRS and the government in Washington, D.C. to take it all away from us. They do not deserve it. But what does that mean, it means of course that we must begin the destruction and the development of one of the largest, most beautiful open spaces still left out in this part of the country. We do not want to do that, but we do not have any choice because of this death tax.

Here is another letter. Our 106-year-old mother passed away. Because we knew she was fearful of being placed in a nursing home, and we never considered it an option, my husband and I took care of her in our own home 2 days a week. She was alert, and we believe she would be living today if she had not injured herself. We are now faced with the unpleasant and unexpected task of selling our family home which was acquired by our parents in 1929 and where they raised six children. Prior to World War II, my parents had a greenhouse business on five acres of farm property. After World War II, the family returned from the relocation

center where those of Japanese ancestry were incarcerated and signs that said "No Japs Wanted." My father died of a heart attack in 1953. My mother lost the business located on two acres, four greenhouses, the heating plant, the packing shed, which, by the way, had two bedrooms above which many of the children slept, to the State. The State took two acres of property for an on-ramp to the freeway, but my mother was able to keep our family home which she and my father built. Now I must say that because of the death tax, it will now be necessary to sell this property, this home, this family home, just to pay the taxes that are levied upon the family as a result and only as a result of the death of this family member.

Here is another letter. My family has ranched in northern Colorado for 125 years. My sons are the sixth generation to work this land. We want to continue, but the tax of the government is forcing almost all ranchers and many farmers out of business. The problem is called the death tax.

And again I want to say to my Democratic colleagues, how can you go and look at these families and justify the continuation of a death tax? How can you dare vote against the elimination of this tax? I just do not understand it. Are we so surrounded here in Washington, D.C. that some of my colleagues cannot see what is happening to the American family, the middle income family, the small business out there because of a tax on property that has already been taxed?

Do you not understand what a death tax does to these people? This should be a country that encourages generation after generation to continue the family foundation of running the business, whether it be a music store, whether it be a farm or a ranch. But believe it or not, some of my colleagues here continue to support taxing people upon the death of a member of their family, only triggered by the event of that death on property that has been taxed again and again.

People say you get awful excited when you talk about this issue, but I have seen what the devastation is to my constituents as a result of action taken out of this House many, many years ago. And even though it was initiated many years ago, it has continued because some Members do not have enough guts to stand up and vote it down.

We do not live in a world of socialism. We do not live in a world where class warfare ought to be instituted. We do not live in a world where we say to a family operation, you have been able to keep this land and now because the mother or father has died, we are going to redistribute the land. That is fundamentally unfair. Nobody is saying that someone should not carry their fair share. These people have carried their fair share, and I challenge any of my colleagues on the Democratic side that voted to continue the death tax, I

challenge them to come out to Colorado, come out to a mountain family. And by the way, they will not let you go out of their house without you eating dinner, despite how you vote on this issue, but you look that family in the eye and tell them why you support putting a tax on their family when one of the members of their family dies on property that they have already paid the taxes upon.

□ 2245

It is not right. There is no way that you can justify the death tax. There is no way that the Gates family can justify supporting the death tax, other than the fact that they have a foundation that gets them around it. It is the same thing with some of these other very wealthy families that have come out in support of this death tax. Why? Because they have hired the lawyers. As I said, the Gates interview was being done out of the family foundation office. That foundation was built for the sole purpose of avoiding the death tax.

I worry about middle America. Get out to the heartland of America and tell me, especially my Democratic colleagues, I do not know what it takes to get them to realize how punishing this tax is. Go out to the heartland and talk to these people and see what you are doing to the families by simply casting a "yes" vote on this House floor to continue to tax people.

Let me show you. Here is what is going on. This is what the heartland of America looks like, just like that. It is family. Families have got to have something to eat. They have got to have a way to subsist. That is the way it is in my part of the country. Again, I live in the high mountains. We have a lot of agriculture out there. We do not have a lot of corporate agriculture. We may have families that incorporate for tax purposes but we do not have the Monsanto Copper Corporation. These are families that run these farms and ranches. The people that supply the wagons and supply the tractors, those are family-run small businesses. This death tax will destroy them. It threatens the American way of life. That is exactly what this death tax does. I cannot think of a better demonstration of what happens, and I want to show this picture to you. This is exactly what you are driving. I know that the more liberal side of the Democratic Party that supports the death tax, many of you also pat yourselves on the back, although I am not sure you are fully deserving of it, you still pat yourself on the back for being strong on the environment. We all need to be strong on the environment, but you take particular pride, the minority leader and some of the more liberal Members, the people of you that have voted to keep this death tax in place, you take particular pride in your record on protecting the environment. Let me show you what happens to the environment when you force these family farms to

sell, when you force them out of business, because of this death tax that is what it looks like over here on the bottom. That is what it looks like before the death tax.

What is behind those cattle? Those are condominiums. This used to be open space. Look between the cattle and the trees on the mountain. What is between them? It is condominiums. That is exactly what your "yes" vote to continue to have a death tax, that is exactly what your vote has done. This land right here has to be sold to pay the death tax on this property, although all of the property had already paid its taxes year after year after year. Again, we are not talking about someone or some family that has not paid their taxes. We are talking about a family who has paid their taxes but the bureaucracy has not had enough of it. Frankly, and again I am not trying to be partisan, but let us call an apple an apple. The reality of it is the liberal wing back here, the left side, continually says, look, they have too much, this farm family that owns this land, they have too much. Let us approach it from a holistic point of view. Let us take it from them and give it to them. That is exactly what the death tax is envisioned to do, and it is wrong and you are hurting America. You are not only hurting the future of American families that want to continue small business or small farms or small ranches from one generation to the next, you are hurting the environment of America because just as this poster demonstrates, and look at it again, what used to be open space, what used to be open pasture, what used to be an unfettered view to the mountain is now a destroyed view because you have got condominiums right there being built to pay the death tax on that piece of property. Tell me where the equity in that is.

Let me read this:

My family has been on the ranch for 125 years. My sons are the sixth generation to work on this land. We want to continue, but the death tax is forcing almost all ranchers and farmers out of business. The demand for our land is very high and 35-acre ranchettes are selling in this area for a very high price. We want to keep our land as open space. We want to keep it as a ranch. But the government through its policy of death taxes is making it impossible for us because of what we will have to pay once a death event occurs. Ranchers are barely scraping by these days, anyway. If we were willing to develop home sites, we could stop worrying about the death tax but we want to save the ranch. And because we want to save the ranch and as a direct result of the death tax, we are in trouble. The family has been able to scrape up the estate taxes as each generation up to now dies, but I am telling you the time is out. I think we are done for. Our only other option is to give the ranch to a nonprofit organization. And they all want it but none of them will

guarantee that they won't develop at least a part of it.

My dad is 90. We don't have much time to decide what to do. We are only one of two or three ranchers left around here. Most of the ranches have been subdivided. One of the last to go was a family that had been there as long as ours. When the old folks died, the kids borrowed money to pay taxes. Soon they had to start selling cattle to pay the interest. When they ran out of cattle, their ranch was foreclosed and is now being developed. That family which used to be a strong family, that had a gorgeous ranch, that survived generations and generations, that family now lives in a trailer near town and the father works as a highway flag man.

You can trace it all back to the votes that started on this House floor. You can trace it back to the most unjustified tax in our tax system. I do not care how you say it. I do not care how pretty my Democratic colleagues want to paint the picture. The fact is they need to come around and they need to join the Republicans and we need to eliminate the death tax on a permanent basis. You cannot justify it. In this upcoming presidential election, I think a litmus test that ought to be asked of every Democrat presidential candidate is, will you support total elimination of the death tax on America? My guess is that they will not look you in the eye, but my guess is none of them will do that. When you hear people and I say this to my colleagues, when you hear people out there talking in a very courageous tone about, look, I've made a lot of money and I think we should keep the death tax, take a look at what they have done, like the Gates, for example. They have put it into a foundation. Why? For the sole purpose to avoid the death taxes. That is why those foundations are created. I have a lot of respect for the Gates family. I am in awe of what they have done to make that. It has been an American dream. But the reality of it is they should not be considered an authority to speak on the death tax when in fact they have created a foundation in which to shelter that money. The better people to go and get an opinion from is, what I say, go out into the heartland of America. Go to Kansas. Go up into the Rockies and stop at some ranch house. Go in there and talk with those people. First of all, you are going to find that they are going to invite you in, they are going to feed you something. Ask them what the death tax will do to their family. Ask them how. Or better yet, to my liberal colleagues, you tell them how you can justify putting a death tax on a family. The fact is you cannot justify it. The fact is this tax is not justifiable from any economic argument. It certainly is not justifiable from a moral point of view. The only way that you could possibly justify a death tax is if you were a socialist and you believed in the concept that whatever is somebody's property ought to be everybody's property,

that it ought to all go for the common good, that everything ought to be thrown into one pot and everybody shares equally. If you believe in the socialistic type of government, then you can justify a death tax. But if you believe in the democratic, capitalistic process which has made this country, by the way, the greatest country in the history of the world, there is no way under any circumstances that you could justify this tax.

As I said earlier, last week we voted, it is over on the other side now, we voted for permanent elimination of that tax, of that death tax. Unfortunately, most of the Democrats once again have chosen to support and to continue the death tax.

It is time for the American public, Mr. Speaker, to understand why there is a difference between Republicans and Democrats. There is one issue I feel very deeply about in my heart that separates our two parties. Granted, about 40 of the more conservative Democrats did vote to eliminate the death tax and for that they deserve credit. But when I am out there, I do not feel like I am getting in a partisan argument, I do not feel like I am taking any cheap spots when I point out that the death tax is primarily supported by the Democrats and the elimination of the death tax is driven by the Republicans. When you go out to the heartland of America, when you go out there into that countryside some time, see if you have got enough guts to look that farm family in the face and say to them, it is because of you that the next generation in that family will in all likelihood not be able to continue the farming or ranching operation.

I urge my colleagues and I urge especially my Democratic colleagues, it is time for you to surrender this issue, because it is the right thing to do. It is time for you Democrats to step up to the plate and support the American farmer and the American rancher and the American small business. The best way that you can do that is to vote to eliminate the death tax. Give these families, give these farms, give these small businesses, give these ranches an opportunity to go to the next generation. We all benefit. Our communities benefit. Our environment benefits. Push the socialistic temptation aside and adopt, rather, what I call the fairness doctrine. It is very simple, just be fair. If you could just be fair in your assessment of this horrible tax, you too next time will join the Republicans and vote against the continuation of the death tax.

IRAQ AND WEAPONS OF MASS DESTRUCTION

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). Under the Speaker's announced policy of January 7, 2003, the gentleman from Pennsylvania (Mr. HOEFFEL) is recognized for 60 minutes.

Mr. HOEFFEL. Mr. Speaker, I appreciate the opportunity to address the

House with a number of my colleagues who will be joining me later, notably the gentleman from Massachusetts (Mr. DELAHUNT) and the gentleman from Hawaii (Mr. ABERCROMBIE), to talk about Iraq.

Mr. Speaker, we have had a great military victory in Iraq. Our young men and women performed with great courage and great effectiveness. We are all very proud of our military and the fact that the threat of the Saddam Hussein regime is no longer present to threaten regional and world peace. But we have two questions that we believe need to be addressed: First, is our military mission complete in Iraq? Secondly, having won the military victory, are we winning the peace?

Regarding the military mission, I would suggest to the House that our mission is not complete without a full accounting of the weapons of mass destruction. There is no question that the primary purpose for invading Iraq put forward by the administration last year and accepted by a majority of the Members of Congress, myself included, was for the purpose of disarming Saddam Hussein of weapons of mass destruction. There is no question that Hussein had such weapons in the past. The international United Nations inspectors were finding them in the mid and late 1990s. Hussein used weapons of mass destruction, notably chemical weapons, against his own citizens with devastating and brutal effects. No one has dreamt up or made up the motion that Hussein had in the past weapons of mass destruction. There is no doubt that he did. But we cannot find them now. We do not know where they are. Perhaps they are buried in the desert and we will find them next week. I hope that is the case. Perhaps he gave them to some other group or some other country. Perhaps he destroyed them. We do not know what happened, but many of us in the House believe that we must have a full accounting of what happened to the weapons of mass destruction before our military mission is complete, for two basic reasons. First off, we need to know where they are. If they are not in Iraq and have been given or taken someplace else, we need to secure them, to dismantle them. We need to know who has the custody of them.

□ 2300

If they are in Iraq, we have to find them. We have to make sure that the coalition forces gain custody of those weapons of mass destruction and not another group that might use them for evil purposes. If these weapons have been destroyed, all for the better; but we need to know why our intelligence did not know that fact. We frankly need to know what happened to them so that we could be sure that the world has been rid of that particular group of weapons of mass destruction and that, if they do exist, they are in safe custody.

The second reason that we need a full accounting of the weapons of mass de-

struction is to determine what has happened regarding our intelligence and the political use of that intelligence by the Bush administration in the arguments to support war in Iraq. There is no question that the Bush administration and the leading senior advisors to the President stated with complete certainty in the fall of 2002 that Saddam Hussein had weapons of mass destruction, was developing more weapons of mass destruction, and posed an imminent threat to the region and, in fact, to the world. In private briefings and in public statements, the President of the United States and his senior advisors assured Members of Congress and the American people that the weapons of mass destruction existed, that they were being developed in even greater numbers, and that they posed an imminent threat. And many of us, myself included, based our vote in favor of military action against Iraq for the primary purpose of disarming Saddam Hussein of weapons of mass destruction. Now we cannot find them.

More troubling, now stories are appearing in the press and intelligence analysts are stepping forward, only on the record if they have retired, off the record if they still are at work for the United States, saying, in fact, they were not giving such certain advice to the White House in the fall of 2002, that they were saying we cannot be sure what kinds of weapons of mass destruction Saddam Hussein had in the fall of 2002.

On September 26, 2002, the President made a speech in the Rose Garden stating with great certainty that Saddam Hussein had chemical and biological weapons of mass destruction and was developing additional chemical and biological weapons of mass destruction, and yet at the same time it now has become public. The Defense Intelligence Agency in September, 2002, was circulating a report through the White House in the highest levels of the administration saying "there was no credible evidence that Saddam Hussein currently had weapons of mass destruction or was developing more weapons of mass destruction." There was some evidence, but no credible evidence that that was a certainty. And that lack of certainty did not make its way into the public and private arguments made by the administration. So many of us feel that the Bush administration has a growing credibility gap regarding the weapons of mass destruction.

Why does this matter? It matters greatly for the President's new doctrine of preemption, of the preemptive use of military power to stop an enemy. I do believe in an age of terror when we are dealing with adversaries that do not always come from another country who do not always have a capital city to defend or a homeland to defend when we are dealing with terrorists who are not only faceless but stateless that it may be necessary to take preemptive military action if we are faced with an imminent threat to

this country. But that presupposes that we have accurate intelligence. It is one thing to respond to an attack against us. That is the way America has always gone to war once we have been attacked, and it is easy, of course, in the traditional sense of warfare to see an armada massing in the bay or an army building on our borders to know that an attack is imminent.

In an age of terror, we will not always have that warning; so preemptive action may be wise and necessary in the future, but we must have accurate intelligence. We must be able to depend upon that intelligence. We must be able to depend upon the intelligence analysts bringing the information forward in a timely fashion, giving their best advice to the President and the White House, and then we have to depend upon the President and the White House using that information appropriately and wisely, using it to inform Congress and the American people, not to mislead Congress and the American people.

We do not know at this point what exactly happened regarding our intelligence. We do not know whether it was misused by anyone intentionally or unintentionally. We do not know whether the White House heard what it wanted to hear in these intelligence briefings. We do not know whether the intelligence briefings told the White House what the briefers thought the White House wanted to hear, nor do we know whether Congress was told what people only wanted us to know or perhaps what they thought they wanted us to know.

But these questions have to be answered because it goes to the very root of our democratic system, our checks and balances, the proper relationship between the executive and the legislative branches and whether or not we can have faith in the accuracy of our national intelligence agencies and in the proper use of that intelligence.

Before I go any further, we have been joined by the gentleman from Massachusetts (Mr. DELAHUNT), a senior member of the House Committee on International Relations and an eloquent spokesman on foreign policy and national security, my good friend; and I yield to him.

Mr. DELAHUNT. Mr. Speaker, I want to thank the gentleman from Pennsylvania (Mr. HOEFFEL) for again coming to the floor of this House to raise this issue to the American people because clearly our credibility is at risk; and as time passes, there is a growing crescendo of constituents of mine, of his, and of others of our colleagues inquiring as to what occurred in this particular case.

I think what I find particularly disturbing is that in the State of the Union Address by the President back on January 28, he referred to an African nation. That nation, it was subsequently revealed, is the nation of Niger and that there had been a series of letters exchanged between officials of

that nation and the Saddam Hussein regime in Iraq relative to the desire of Saddam Hussein to purchase highly enriched uranium from that nation; and that was referenced in the State of the Union Address, as I indicated, by the President of the United States. In fact, it was one of the core ingredients in terms of the Administration's presentation to the American people for its rationale in launching military intervention into Iraq.

Now subsequently it has been revealed that that information was false and that those documents that were relied on by the President, by the White House were, in fact, false. They were forgeries. And that was known to our intelligence agencies, specifically the CIA. Now there appears to be disagreement between the CIA and the Administration as to the information that was brought to the White House by the CIA.

Mr. HOEFFEL. Mr. Speaker, is the gentleman aware that according to reports, the CIA informed the White House of the lack of accuracy of these reports in March of 2002, a full 10 months before the President's State of the Union Address this past January?

□ 2310

Mr. DELAHUNT. Yes, I am aware of that, and I am also aware of newspaper reports that indicated that there was nothing special, according to the National Security Adviser, about this particular information, and that they just simply did not inquire any further from the CIA as to the reliability of that particular information.

But what I find disturbing, I say to the gentleman, is that a week from that date, the Secretary of State, Colin Powell, presented the administration's case before the United Nations Security Council. And according, again, to newspaper reports, that information was omitted by the Secretary of State because he felt that that information was inaccurate.

Now, something is wrong. If, in the space of 7 days, through a vetting process at the Department of State by Secretary Powell, he made the decision to remove that key piece of evidence from his presentation to the Security Council, then something is remiss, something very, very serious.

Now, I know that the gentleman supported the resolution. I happened to vote against that resolution. We all had our own reasons. But even those who disagree on the issue as to whether there should have been military intervention in Iraq have an obligation, I would submit, to conduct a full and thorough review of what occurred and why this particular intelligence was referred to by the President of the United States as he addressed the American people, and clearly influenced the American people. And I would hope, and we understand that our intelligence committees on both the House and the Senate side, are conducting an investigation because of the concerns

not only with this piece of information, but other pieces of information that were relied on or alluded to that supported the claim of the administration as to the intent and the position of weapons of mass destruction by Saddam Hussein.

But I would respectfully suggest that that is inadequate. I think we have to be candid that this is a political institution, the American people are represented by two major political parties, and I dare say that if there is disagreement within the intelligence committees of the House and the Senate, and if that disagreement should break along party lines, there will be accusations that the Republicans were stonewalling, or that the Democrats were seeking political advantage in an effort to embarrass the President. And I do not think the American people deserve that. I genuinely believe that this is a nonpartisan issue. This is an issue about America. This is an issue about democracy. This is an issue that has, I would suggest, consequences far into the future about America's image in the rest of the world.

I would hope that this body and that the President would consider convening an independent commission; take the politics out of this so there will not be any finger-pointing, and bring people on board that have reputations for probity, for integrity, and are eminently qualified to address these issues. We should take it away from this body, take it away from the Senate, so that it is not about politics.

Mr. Speaker, we have already had that experience. The Hart-Rudman Commission that none of us really knew about or thought about or gave special attention to until September 12, the day after. Because that particular commission was comprised of eminent Americans from different fields, all highly regarded, people whose integrity are not in question; people who had no political axe to grind, who did this country a great service and produced a document that predicted, that predicted September 11. They warned that the United States was at risk. That particular document was filed on February 25 of 2001. And tragically, tragically, it sat on a shelf and no one paid any attention to it. Mr. Speaker, I would think that given the work of that particular commission, some of those people might very well agree to serve their country again. Because we have this, as the gentleman describes it, growing credibility gap.

It is important to note that the CIA, again, according to newspaper reports, is in serious disagreement with the White House and the President. According to a Washington Post article that appeared on June 12, the story quoted a senior CIA analyst that this case, and it is referring to the evidence developed regarding the alleged, the alleged purchase of uranium from the country of Niger that proved to be false, a senior CIA analyst said that this case, and I am quoting his words

now, "This case is indicative of larger problems involving the intelligence about Iraq's alleged chemical, biological, and nuclear weapons and its links to al Qaeda," which the administration cited, as we well know, as justification for war. Information not consistent, and this is a senior Central Intelligence Agency analyst who said this: "Information not consistent with the administration's agenda was discarded, and information that was consistent was not, was not seriously scrutinized."

We do not know what the proof is, and that is our obligation. That is why we are here. We have a responsibility to seek the truth, to answer questions. Not for political gain, not to embarrass anyone, but to reassure the American people that the integrity and the professionalism of their intelligence services is not questioned.

Mr. HOEFFEL. Mr. Speaker, let me ask the gentleman a question along this line of the growing credibility gap. I am sure the gentleman has heard about the two supposedly mobile labs that have been found in Iraq after the conflict. I wonder if the gentleman saw the news today about what appears to have been their actual use.

Mr. DELAHUNT. No, I have not, but I am eagerly awaiting to learn.

Mr. HOEFFEL. Mr. Speaker, the latest is that reports are now circulating that instead of being used for biological or chemical laboratories, these two trucks were used to make hydrogen for the purpose of filling up the Iraqi weather balloons needed by Iraqi artillery and used by all artilleries to gauge wind and currents and so forth to make their artillery shooting accurate. It appears that the loose canvas covering on these trucks would not be conducive to their use as chemical or biological laboratories and that the equipment there is probably designed for hydrogen production.

Mr. DELAHUNT. Mr. Speaker, if the gentleman would yield, I think it is important for us to be very clear and state that just recently, and I believe it was in Philadelphia, a city with which the gentleman is familiar, the President, once more, stated unequivocally that they will find the weapons of mass destruction. So I will accept the word of the President of the United States.

But this goes beyond just that question, because it is clear that up to this point in time, there have been no discoveries about weapons of mass destruction. It just has not happened.

But this is about integrity. This is about whether information was used in a way so that the American people were misled, or this was information that was given to the President of the United States, that was inaccurate and led him to come to the floor of this House, deliver the State of the Union address to the American people, and tell something and suggest to them something that in fact had not happened.

So again, I would hope that we would get the politics out of this process and

seek to establish an independent commission, one of prominent Americans, that would take up this burden, and it is a burden, because it would be again calling on them to serve their country as they did so well when they told us: beware, America is at risk of an attack, a serious attack, that could cause a substantial loss of life by terrorists and no one was listening.

□ 2320

Mr. HOEFFEL. Mr. Speaker, I thank the gentleman for his comments and particularly for his suggestion. I think it is a very good one.

There is no doubt that we need an independent and nonpolitical review of the performance of our intelligence agencies and the use to which that intelligence was put. And I think an independent commission such as the gentleman describes is an excellent idea and one that I would certainly support.

We have been joined by our colleague, the gentleman from Hawaii (Mr. ABERCROMBIE), who was a passionate advocate on matters of national security and foreign policy; and I am happy to yield such time to the gentleman from Hawaii.

Mr. ABERCROMBIE. Mr. Speaker, I thank the gentleman very much.

In conjunction with the comments that the gentleman and the gentleman from Massachusetts (Mr. DELAHUNT) have been making, I want to preface my remarks with the observation that part of the complaint that is being made across the country with respect to this attack on Iraq and the subsequent war which is now unfolding is that where are people speaking out on it?

Well, we are here on Special Orders tonight. I think those who are observing our deliberations here on C-SPAN understand that the House is not formally meeting right now. I would think, I want to make it clear to those folks who are observing and listening to our deliberations here this evening, that we do not have the opportunity during the work day to be able to speak at length and in depth on this issue and the issues surrounding the attack on Iraq. We have the opportunities to ask questions and perhaps a followup or two in committee hearings, when we are able to get them, with respect to the defense budget or as we dealt with just recently having witnesses from the Department of Defense. Those are rather formal occasions, as they should be. Presentation is made by the Department of Defense or by the requisite executive agency, and so occasionally a dialogue back and forth.

If C-SPAN is not there, for all intents and purposes, it does not exist. When we go home to our districts and they say, where are the people who are opposed to this or have differing views or want to establish a different perspective, it is important to understand that the mass media in this country is owned by a small number of conglomerate

interests, many of whom are associated with the kind of thing that is taking place just today.

I refer you to the Los Angeles Times, Monday, June 23, the business section: California firms lining up to capitalize on rebuilding of Iraq. Hundreds of millions if not billions of dollars involved in this opportunity. If you think for a moment that the national media is going to be covering the Special Orders, do you think we are going to appear even on "Nightline," which is probably the most objective and the most far-reaching of those who want to get the news out, I think we are dreaming.

Now, I look up right now and the galleries are right in front of us. For those of you who are across the country who are observing us and listening to us tonight, the galleries are empty. I suppose the news organizations might have to pay overtime, I am not sure, but there are no reporters volunteering their time because they are interested in what it is that we have to say.

Now, I have come back from a trip with a congressional delegation, the first congressional delegation to get into Iraq, to go to Bagdad, to go to Kirkuk in the north, a bipartisan delegation; and I am referring to the gentleman from Pennsylvania's (Mr. HOEFFEL) admonition and to the gentleman from Massachusetts' (Mr. DELAHUNT) suggestion about an independent commission to examine these issues, a nonpolitical review, if I remember what you said.

Mr. DELAHUNT. If my friend from Hawaii would yield, I think again one cannot overemphasize the need for the information to get out to the American people because it is important to know that the investigations that will be conducted in this House by the Permanent Select Committee on Intelligence in the other body will be conducted behind closed doors, and what we are looking for is to take the politics out of it.

Now, I hear some say that Democrats are raising these issues to embarrass the President. No one can gauge our sincerity, but I know that the gentleman from Pennsylvania (Mr. HOEFFEL) and many of us on both sides of the aisle, by the way, Republicans and Democrats, want a situation that does not lead to a political competition.

Here I just ran across a report from The New York Times dated June 18. And let me again quote: "Despite growing questions about whether the White House exaggerated the evidence about Saddam Hussein's chemical and biological weapons, President Bush and his aids believe that the relief that Americans feel about Mr. Hussein's fall in Iraq will overwhelm any questions about the case the administration built against him. Administration officials and Republican strategists say, 'I think we can ride this out,' said an official."

This is not a question of riding something out. This is a question of righting a wrong. A wrong, wherever the responsibility should fall, let the American people in an appropriate forum listen to the questions, listen to the evidence and form their own judgments. This is not about politics.

I do not know if either one of the gentleman had the opportunity to see the British Parliament in its inquiry into these issues. I found it extraordinary. It was carried on BBC. It was televised during the day. It received national attention there. And two former ministers of the Blair government who had resigned because they did not believe that the intelligence was accurate and was sufficient, they testified as to their observations. It was civil. It was respectful. It was a debate that I know has informed the British people.

□ 2330

We need that to happen here, but given the realities of our own political system, I think it is best if the President, the leadership of both branches, agree for an independent commission to have public hearings that are transparent, much like the Blair government has conducted in the United Kingdom.

Naturally, we are not going to expose sources, but I would like to know, for example, what happened between January 28 and February 5. On January 28, the President of the United States in his State of the Union address made this assertion, and on February 5, according to newspaper reports, the Secretary of State Colin Powell had that particular piece of evidence removed from his presentation to the United Nations Security Council. What happened during those 7 days?

The American people should have an answer.

Mr. ABERCROMBIE. Mr. Speaker, I think that that is what fits into the premise that I am establishing here, that we need to have the press in that gallery paying attention to what is going on here on the floor because this is the only place right now that such a commission is going to take place.

If someone wants to attribute partisan motives to what we are saying down here, they are going to do that anyway. I have to trust, as we all have to trust, that the people will make a decision as to whether what we are saying, why we are saying it, how we are saying it, where we are going, makes sense to them or not on the basis of ideology alone, as opposed to trying to get at what the truth of the situation is with respect to the national security interests of this Nation.

Mr. DELAHUNT. Mr. Speaker, I think what the American people have to understand is that we are not making allegations. We are not making assertions. We are asking for a process that will reassure the American people.

Others are making allegations, others like a gentleman who recently re-

tired after 25 years in the State Department, the last four of which were in the Bureau of Intelligence, and his name is Greg Fieldman, 25-year veteran, and this is what he said, and I do not know what his political affiliation is. He could be a Republican for all I know. The al Qaeda connection and the nuclear weapons issues were the only ones that you could link Iraq to an imminent security threat to the United States, and the administration was grossly distorting the intelligence on both items.

That is his words. That is not my colleague's words, the gentleman from Pennsylvania's (Mr. HOFFEL) words or my words or Democrat words in a partisan context. I want to hear from him, and the American people have a right to hear from him, and I am sure my colleagues on the other side of the aisle would expect to hear from him, also. I would hope that this idea is seriously considered by both sides.

Mr. ABERCROMBIE. Mr. Speaker, on that point, or on these series of points that are being made, for all intents and purposes, the only opportunity that the American people are going to have to have these questions explicated is on this floor during special orders, and I want to indicate, and I believe the three of us are agreed upon this, we are going to be back. Arnold Schwarzenegger is not the only one that is going to be back.

We are going to be back here on this floor. We are going to be asking the questions. We are going to be making the observations. We are going to be putting forward for the American people the opportunity to hear a perspective that is not necessarily or likely to be enunciated in the press, most particularly in the controlled press. We are not going to see this on the evening news. We are not going to see this in the so-called Sunday talk shows. They have the usual suspects on generally when that comes about.

So what I want to do this evening by way of establishing some of the premise is refer back again to the congressional delegation that we made May 23 through the 27 under the chairmanship of the gentleman from California (Mr. HUNTER), my good friend, our good friend, our able chairman, someone dedicated to the defense of this country by any standard of measure.

Of course, there are differences of opinion that we have in the Committee on Armed Services on which I am happy to be serving as to what the policies might or might not be with respect to the defense of the strategic interests of this Nation, but there is no difference between us on either our desire or our capabilities or our abilities to try to discern what the best course might be. That is precisely why we went. We did not go there to try and get into a contest with anybody on an ideological basis or party basis but rather to try to find out what was taking place.

Maybe tonight will be the first time people will be able to hear anything about what was known as the Organization for Reconstruction and Humanitarian Assistance, which has now become the Coalition Provisional Authority. These are important because we started out one way with a former general, Jay Garner, who has now been removed all of the sudden within almost days, weeks, in terms of workdays, just days, has been removed, and why? Not because General Garner was thought to be a bad person or an inadequate administrator or did not have the proper motivation or understanding, but because the mission to which he had been assigned and the mission which he expected to carry out, namely, a reconstruction effort, somewhat perhaps akin to the aftermath of a natural disaster, a dam bursting or a hurricane or typhoon or something of that nature, turned out to be a typhoon of entirely a different kind, namely, that there was chaos; that there was an inability to provide even the most elemental of protection for those who would be doing the reconstruction; that there was not an understanding and foundation in the population in which this reconstruction was supposed to take place that this was a mutually agreed-upon activity.

There were forces in the street that were, in fact, trying already to get the United States out of Iraq, and therefore, we had to have the intervention of a very competent and highly professional diplomat, Mr. Bremer, Mr. Paul Bremer, who came in and assumed the authority over what has become the Coalition Provisional Authority. What did he propose?

When we went to Baghdad to talk with him, he had put together what I called an outline. Some people would call this a plan, but I think Mr. Bremer is an honest and forthright person. I was very impressed with his desire to speak directly to us on the questions that we posed and the observations that we made. He did not try to finesse anything. He did not try to make anything into something other than what he thought it was. He gave that clear impression, and I think that was agreed upon by all Members there, Democrats and Republicans, who were there.

He came up with what could best be characterized as an outline, not a plan. A plan is something that we know how to implement, we know who is going to implement it, we know where it is going to be done. We did not know any of these things. We still do not know these things. We are making it up as we go along. This is not an accusation, as the gentleman indicates, against Mr. Bremer. On the contrary he is trying to put something together that was not planned for.

This is one of the key elements that we have to think about here when we are talking about we can have authority as General Shinseki said when he retired as Army Chief of Staff on June

11, you can be assigned command authority but you have to earn leadership.

The question here that has to be answered by the President, by the Department of Defense, by Mr. Rumsfeld and others is, are they really exercising the kind of leadership that we need in these circumstances? We cannot equate a political policy with patriotism. If you are trying to tell me, and this is where I draw the line here, if you are trying to tell me that I have to agree with somebody else's political policy or have my patriotism questioned or have my capacity to understand what the strategic interests of this Nation are, then you have crossed over the line, and what you are saying in effect is do not examine closely, do not analyze to any great degree the policies that I am putting forward because if you do then I will equate that with somehow being antipatriotic or against our troops.

If we are putting the lives of young men and women and the United States Armed Forces on the line, then we have to have policies that are worthy of the commitment and dedication and professionalism of those young people.

I got into electoral politics because we failed to do that in the Vietnam War because we decided then that we would equate military activity with political policy, and the military activity became the political policy. That is why we got to body counts in Vietnam to try and justify our insistence on being there militarily, and so we have to account for the key tasks to be completed here in the context of does this advance the interests of the United States at this juncture, pending some further inquiry as to how we got there in the first place.

□ 2340

And I will tell you that while these, in and of themselves, these 10 points of Ambassador Bremer to be completed, are worthy in and of themselves, they do not answer the question about what will be the role of the United States over the next 5 to 10 years, at least a decade.

And this is where General Shinseki's words become ringing in terms of his retirement and what he said at that retirement about command authority and earning leadership capacity. He said that there should be no confusion about the argument over what the military should be doing or not doing in this country and what its role is going to be in the post-attack phase in the context of the guerilla war that is now underway in Iraq. There should be no confusion as to the commitment of the United States military to civilian control. To raise these issues as to who was in charge is dysfunctional to the discussion. But he warned us, and these words are going to be prophetic, do not get involved in a 12-division policy with a 10-division army.

And what he was saying here is, were we adequately prepared ahead of time?

Did we do the kind of planning that was necessary in order to accomplish this task? And was that mission that was outlined adequately underlined and a foundation established that would enable us to say with authority that the interests of the United States in terms of its strategic position in the world and whether or not we were facing imminent danger was in fact at stake? Absent that, then we are in for serious trouble. Because that means we will be engaged in essentially an ad hoc operation perhaps for over a decade to come in Iraq, and we will pay a fearful price for that in the lives and bloodshed of our American military and upon the taxpayers of this country and upon the credibility of the United States with regard to world opinion.

Mr. HOEFFEL. Mr. Speaker, if the gentleman would yield, his comments about Vietnam, I think, are very telling and warrant some consideration. One of my great concerns before the military involvement in Iraq started was not whether we would win that military confrontation. That was never in doubt. But how we would act afterwards and would we be perceived in perception or reality as a colonial power, an occupying power, or one that was there to liberate and help Iraqis gain control of their own lives.

Now, I have noticed that the United States asked the United Nations to name us and the British occupying powers, using that phrase in the U.N. resolution of a week or two ago, occupying powers, which seems to me to be sending the wrong signal to the rest of the world about what our role in Iraq should be. And the gentleman's comments about Vietnam, what I most recall about our quagmire in Vietnam was how poorly our Presidents explained the Vietnam policy to the American people.

Mr. ABERCROMBIE. Whether they were Democrat or Republican.

Mr. HOEFFEL. Absolutely right. And the great failing I see now is the inability of the current President to explain the costs, the challenges, and the time lines facing us as occupying powers, if you will, in Iraq.

The gentleman was there. I would be fascinated to hear his response based upon his firsthand observation.

Mr. ABERCROMBIE. Well, Mr. Speaker, if the gentleman will yield to me on that point, Ambassador Bremer was very, very direct in his characterization of us being an occupying power. And this was not said with any kind of bravado. It was simply an announcement of the realities that were involved and what his obligations were and what his responsibilities were in Iraq as the director of the coalition provisional authority.

And we ought to get something straight here about this. When we say coalition, we are talking about the United States of America. That is who is in charge here. When the Americans show up, then people mean business. I remember that from the Balkan situa-

tion before. And just by way of disclosure, on that I opposed President Clinton on that. So again I point out this has nothing to do with Democrats and Republicans, whether they are in the Presidency or not. This has to do with credibility in terms of whether or not the national interests are involved and to what degree they are involved. As a result, I think that we need to understand very clearly what Ambassador Bremer's dilemma is and what is he to do at this stage when contemplating how to advance civil society.

Now let us talk about the practical consequences of this. There is a reason that young men and women are being killed or wounded almost daily in Iraq today. We have no civil authority in place. When those who criticize those of us who were aware of this attack taking place under the terms and conditions and time that it took place, when they complain about, well, are you now ready to admit that you lost; that somehow we won and you thought we were going to lose. As my colleague from Pennsylvania pointed out, I do not know of anyone, certainly not any responsible person in the Congress, and I cannot think of anybody in the Committee on Armed Services that thought for a moment that the United States military would not succeed. We only have to observe them in action, as we have as recently on this trip at the end of May, to see that the professionalism, the capacity, the capabilities of the United States military is unparalleled.

That is not the question. The question is are the politicians and the politics behind the military activity up to the mark. That is what is at stake here. And that is why we have the situation in which these young people are being shot, are being wounded, are being put in harm's way every day. There is no civil authority there. We are trying to stand up a police force.

Does that sound familiar? It should, because we have been trying to do it since the late 1990s in the Balkans; and we are still, despite much more favorable circumstances in, at best, a very tentative dilemma with respect to whether or not with the NATO troops and United States troops leaving that area, whether or not chaos will descend once again. I will assure my colleagues if we leave any time soon, there will be chaos of a nature that the Secretary of Defense calls untidy.

Mr. HOEFFEL. Mr. Speaker, I thank the gentleman, and I would yield to my colleague from Massachusetts.

Mr. DELAHUNT. Mr. Speaker, I just wanted to add one observation. The gentleman mentioned the Balkans. What is transpiring today in Afghanistan is close to a disaster, and here again we have young Americans at risk every day. There has been an unfavorable review of what is occurring within Afghanistan. The warlords are still there. The Taliban are reconstituting themselves. The president, who had the support and continues to have the support of the United States, President

Karzai, is fearful of leaving Kabul. Again, progress has not been measured, but rather the lack of progress is obvious; and we have been there 18 months.

Earlier, my colleague referred to General Shinseki. He had the courage to speak his mind. He had the courage to tell the American people. And by the way, I think we all agree, I think there is unanimity among us that Iraq and the world is better off without Saddam Hussein. That is not at issue here. We have had a changing policy in regard to Iraq dating back for years, including, by the way, in the 1980s, when this President's father, George Herbert Walker Bush, took Saddam Hussein off the terrorist list as Vice President in the early 1980s, in conjunction with, and, obviously, under the direction of President Reagan, installed an embassy in Baghdad, supplied agricultural credits in the amounts of billions of dollars to the Iraqis, and were providing intelligence from our military to the Iraqi military in terms of benefiting in their war with Iran.

I think we have to say it, they were fully aware that the Iraqis at that point in time were using chemical weapons. They knew. They knew what was happening in northern Iraq against the Kurds.

□ 2350

Mr. ABERCROMBIE. Mr. Speaker, if the gentleman would yield, that just goes to show that the interests of the United States at that time were deemed to be such that we could have that kind of diplomatic relationships with Saddam Hussein and the government in Iraq. The present Secretary of Defense was part of that, was in Iraq and trying to do business with Saddam Hussein.

The question is what caused that change? Was it really in the interest of the United States in terms of our defense and imminent danger to the United States to attack Iraq? That is a question that needs to be answered because it is going to inform us and instruct us where we are going from here, whether it is Iran, Syria, North Korea, whether it is the kind of policies that are going to come forward on Iraq itself. This is the kind of thing that needs not just an emphasis but needs explanation.

If we are going to have a policy worthy of the legacy of this Nation's triumph of democracy, we cannot simply assert it on behalf of other people, particularly in a place like Iraq which has never known it and whose entire history since World War I has been nothing but a division of the spoils among Western nations.

Mr. Speaker, I simply want to indicate to my colleagues, and I hope that we will have a dialogue in the future, particularly with those who have different views as to where we should be going and what we have accomplished to this point, or what we have failed to accomplish to this point, because it is the only place that the American people

are going to get any kind of a dialogue like that. That is what this House is all about. This is the people's House. You cannot appear on this floor except by way of election. You can be appointed to the United States Senate; you cannot be appointed to the House of Representatives. This is the people's House. We come up for election, as my wife says, every other year, not every 2 years. You can have a driver's license longer than you can have a license to be on this floor, and that is as it should be because it was the intention of the Founders of this Nation that the people in this country have the opportunity to decide who will represent them here against the House of Lords on the other side of the building.

I would indicate that I will be coming back to the floor, and I hope to be joined by others because we do not intend to let this issue slide. We do not intend for anybody to get over this or get by it.

Mr. DELAHUNT. Or ride it out. Mr. Speaker, nobody is going to ride it out.

Mr. ABERCROMBIE. Not while we have the opportunity and obligation as Members of the House of Representatives to speak out on behalf of the people of this Nation.

Mr. HOEFFEL. Mr. Speaker, I have been here just 5 years. I have often heard of the gentleman's eloquence and passion, and he has proven it tonight with great glory.

Mr. DELAHUNT. Mr. Speaker, let me just close with an observation. It is my understanding that sometime this week we could very well be considering a proposal for prescription drug benefits. I juxtapose that with a headline that I noticed today, and I guess it must have been in the aftermath of Under Secretary Wolfowitz's testimony before the Committee on Armed Services where it was concluded that there was a probability that a substantial American presence would be required in Iraq for a decade and that the cost to the American people would be \$54 billion a year.

I ask my colleagues and those that are watching us to reflect for a moment on the cost to the taxpayers and the reality of the deficit that we are facing far into the future and at the same time the needs of our seniors to have a genuine, significant, prescription drug benefit so they can live their lives with dignity and a sense that they are going to be treated as they should.

Mr. ABERCROMBIE. And that they are not under siege.

Mr. HOEFFEL. Mr. Speaker, the gentleman from Massachusetts (Mr. DELAHUNT) has framed the issue very well. There are many things we need to be talking about regarding the post-conflict situation in Iraq: how to secure it properly because security is a huge issue; and how to bring not just democracy to the people of Iraq but the institutions of democracy, free press, free speech, a noncorrupt judicial system.

The gentleman talks about the need for a full disclosure by the President of the costs of the commitment, the challenges and the time line that we face in Iraq.

As we close tonight, I cannot think of a better request we can make of the President, to tell the American people and the Congress what we will be facing in Iraq. If the people do not know, they will not support it. And if times get tough, and they have been, 17 people have died in Iraq since hostilities have supposedly ended.

Mr. DELAHUNT. The number I understand now is 43 young Americans have died since the end of the formal phase of combat.

Mr. HOEFFEL. It is staggering. We need a full description and a full setting-forth of the challenge by the President. I thank the gentleman from Hawaii (Mr. ABERCROMBIE) and the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. ABERCROMBIE. One closing remark, I do not think the parents and families of the young people who have died make any differentiation between formal and informal. I think those deaths are devastating regardless of the timing associated with it.

CORRECTION TO THE CONGRESSIONAL RECORD OF THURSDAY, JUNE 19, 2003, AT PAGE H5643

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. TERRY. Mr. Speaker, I offer a resolution (H. Res. 284) and ask unanimous consent for its immediate consideration in the House.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 284

Resolved, That the following Members be and are hereby elected to the following standing committees of the House of Representatives:

Committee on Agriculture: Mr. Neugebauer.

Committee on Resources: Mr. Neugebauer.

Committee on Science: Mr. Neugebauer.

Committee on Small Business: Mr. McCotter.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid upon the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JEFFERSON (at the request of Ms. PELOSI) for today on account of official business.

Ms. KILPATRICK (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. MENENDEZ (at the request of Ms. PELOSI) for today on account of his son's graduation.

Mr. LUCAS of Oklahoma (at the request of Mr. DELAY) for today on account of official business in his district.

Mr. TOOMEY (at the request of Mr. DELAY) for today on account of official business.

SPECIAL ORDERS GRANTED

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

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

Mr. HINCHEY, for 5 minutes, today.

Ms. DELAURO, for 5 minutes, today.

Mr. LEWIS of Georgia, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Ms. WATSON, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

Mr. SCOTT of Georgia, for 5 minutes, today.

Mr. BISHOP of Georgia, for 5 minutes, today.

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

Mr. BURTON of Indiana, for 5 minutes, June 27.

Mr. SIMMONS, for 5 minutes, June 24.

Mr. GUTKNECHT, for 5 minutes, today and June 24, 25, and 26.

Mr. MORAN of Kansas, for 5 minutes, June 24.

Mr. KELLER, for 5 minutes, today.

Mr. CULBERSON, for 5 minutes, today.

Mr. SMITH of Michigan, for 5 minutes, today and June 24, 25 and 26.

Mr. ROHRBACHER, for 5 minutes, today.

Mr. PENCE, for 5 minutes, June 24.

Mr. FLAKE, for 5 minutes, June 24.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. PELOSI, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 504. An act to establish academics for teachers and students of American history and civics and a national alliance of teachers of American history and civics, and for other purposes; to the Committee on Education and the Workforce.

S. 686. An act to provide assistance for poison prevention and to stabilize the funding of regional poison control centers; to the Committee on Energy and Commerce.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of

the House of the following titles, which were thereupon signed by the Speaker:

H.R. 658. An act to provide for the protection of investors, increase confidence in the capital markets system, and fully implemented the Sarbanes-Oxley Act of 2002 by streamlining the hiring process for certain employment positions in the Securities and Exchange Commission.

H.R. 2312. An act to amend the Communication Satellite Act of 1962 to provide for the orderly dilution of the ownership interest in Inmarsat by former signatories to the Inmarsat Operating Agreement.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 342. An act to amend the Child Abuse Prevention and Treatment Act to make improvements to and reauthorize programs under that Act, and for other purposes.

S. 1276. An act to improve the manner in which the Corporation for National and Community Service approves, and records obligations relating to, national service positions.

BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House, reports that on June 20, 2003 he presented to the President of the United States, for his approval, the following bills:

H.R. 389. To authorize the use of certain grant funds to establish an information clearinghouse that provides information to increase public access to defibrillation in schools.

H.R. 519. To authorize the Secretary of Interior to conduct a study of the San Gabriel River Watershed, and for other purposes.

H.R. 788. To revise the boundary of the Glen Canyon National Recreation Area in the States of Utah and Arizona.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 11 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 24, 2003, at 9 a.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

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

2754. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Removal of Cold Treatment Requirement for Ya Pears Imported From Hebei Province in China [Docket No. 02-084-2] received June 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2755. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Exotic Newcastle Disease; Removal of Areas from Quarantine [Docket No. 02-117-8]

received June 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2756. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Viruses, Serums, Toxins, and Analogous Products; Standard Requirements for Determination of Residual Free Formaldehyde Content of Biological Products [Docket No. 01-091-2] received June 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2757. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting The Department's final rule — Tuberculosis Testing for Imported Cattle [Docket No. 00-102-2] received June 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2758. A communication from the President of the United States, transmitting a report listing the aggregate number, locations, activities, and lengths of assignments for all temporary and permanent U.S. military and civilians involved in Plan Colombia, pursuant to Public Law 106-246, section 3204 (f) (114 Stat. 577); to the Committee on Armed Services.

2759. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket No. FEMA-D-7539] received June 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2760. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No. FEMA-7809] received June 18, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2761. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations — received June 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2762. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received June 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2763. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received June 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2764. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting The Department's final rule — Changes in Flood Elevation Determinations [Docket No. FEMA-B-7436] received June 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2765. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Australia, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

2766. A letter from the Assistant Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Certain Research and Development Companies [Release No. IC-26077; File No. S7-47-02] (RIN: 3235-AI57) received June 17, 2003, pursuant to

5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2767. A letter from the Director, Office of Management and Budget, transmitting a report on the Cost Estimate For Pay-As-You-Go Calculations, pursuant to Public Law 108–18; to the Committee on the Budget.

2768. A letter from the Director, Office of Management and Budget, transmitting appropriations reports containing OMB cost estimates, pursuant to Public Law 108–11; to the Committee on the Budget.

2769. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Amendment of Regulations on Aluminum in Large and Small Volume Parenterals Used in Total Parenteral Nutrition; Delay of Effective Date [Docket No. 02N-0241] received June 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2770. A letter from the Regulations Coordinator, FDA, Department of Health and Human Services, transmitting the Department's final rule — Applications for FDA Approval to Market a New Drug: Patent Submission and Listing Requirements and Application of 30-Month Stays on Approval of Abbreviated New Drug Applications Certifying That a Patent Claiming a Drug Is Invalid or Will Not Be Infringed [Docket No. 02N-0417] (RIN: 0910-AC48) received June 18, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2771. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plan; Washington [Docket No. WA-70-7148; FRL-7493-8] received June 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2772. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Kansas [KS 179-1179a; FRL-7510-4] received June 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2773. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Control of Air Pollution From New Motor Vehicles and New Motor Vehicle Engines; Modification of Federal On-board Diagnostic Regulations for: Light-Duty Vehicles, Light-Duty Trucks, Medium Duty Passenger Vehicles, Complete Heavy Duty Vehicles and Engines Intended for Use in Heavy Duty Vehicles weighing 14,000 pounds GVWR or less; Extension of Acceptance of California OBD II Requirements [FRL-7492-6] (RIN: 2060-AJ77) received June 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2774. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Nebraska: Final Authorization of State Hazardous Waste Management Program Revision [FRL-7510-1] received June 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2775. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Control of Air Pollution From Motor Vehicles and New Motor Vehicle Engines; Revisions to Regulations Requiring Availability of Information for use of On-Board Diagnostic Systems and Emission-Related Repairs on 1994 and Later Model Year Light-Duty Vehicles and Light-Duty Trucks and 2005 and Later Model Year

Heavy-Duty Vehicles and Engines Weighing 14,000 Pounds Gross Vehicle Weight or Less [FRL-7509-8] (RIN: 2060-AG13) received June 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2776. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report in accordance with Section 301 of the Diplomatic Security Act, pursuant to 22 U.S.C. 4831; to the Committee on International Relations.

2777. A letter from the Deputy Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule — Global Terrorism Sanctions Regulations — received June 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

2778. A letter from the Auditor, District of Columbia, transmitting a report entitled "The Department of Mental Health Failed to Implement a Vocational Rehabilitation Program for the District's Mental Health Consumers," pursuant to D.C. Code section 47–117(d); to the Committee on Government Reform.

2779. A letter from the Chair, Equal Employment Opportunity Commission, transmitting the semiannual report on the activities of the Inspector General and management's report for the period ending March 31, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2780. A letter from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2781. A letter from the Inspector General, Equal Employment Opportunity Commission, transmitting the semiannual report of the Inspector General for the period October 1, 2002 through March 31, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

2782. A letter from the Acting Chair, Federal Subsistence Board, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D — 2003-2004 Subsistence Taking of Fish and Wildlife Regulations (RIN: 1018-A162) received June 18, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2783. A letter from the King of Hawaiian Islands, Kingdom of Hawaii, transmitting a report concerning S. 344, and jurisdiction regarding the Native Hawaiian and Na Kanaka Maoli People of Hawaii; to the Committee on Resources.

2784. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Annual Specifications and Management Measures; Trip Limit Adjustments [Docket No. 021209300-3048-02 I.D. 052103A] received June 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2785. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Annual Fireworks Events in the Captain of Port Portland Zone [CGD13-03-008] (RIN: 1625-AA00) received May 29, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2786. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zones; New

York Marine Inspection Zone and Captain of the Port Zone [CGD01-03-060] (RIN: 1625-AA00) received May 29, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2787. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone: Oyster Creek Generation Station, Forked River, Ocean County, New Jersey [COTP PHILADELPHIA 03-005] (RIN: 1625-AA00) received May 29, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2788. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Vessel Movement Reporting System; Prince Williams Sound, Alaska [CGD17-03-001] (RIN: 1625-AA11) received May 29, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2789. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Port of Anchorage, Knik Arm, Alaska [COTP Western Alaska 03-001] (RIN: 1625-AA00) received May 29, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2790. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Corpus Christi — Port Aransas Channel — Tule Lake, Corpus Christi, TX [CGD08-03-021] received May 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2791. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation: Harvard-Yale Regatta, Thames River, New London, CT [CGD01-03-030] received May 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2792. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lake Michigan, Chicago, IL [CGD09-03-212] (RIN: 1625-AA00) received May 15, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2793. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone: Protection of Alaska Marine Highway System (AMHS) vessel M/V Kennicott in Western Alaska waters received May 15, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2794. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Betsie Bay, Lake Michigan [CGD09-03-213] (RIN: 1625-AA00) received May 15, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2795. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zones; San Francisco Bay, California [COTP San Francisco Bay 03-002] (RIN: 1625-AA00) received May 29, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2796. A letter from the Chief, Regulations and Administrative Law, USCG, Department

of Homeland Security, transmitting the Department's final rule — Security Zone: Portland Rose Festival on Willamette River [CGD13-02-020] (RIN: 1625-AA00 (Formerly RIN: 2115-AA97)) received May 29, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2797. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations: Cape Cod Canal, MA [CGD01-03-040] received May 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2798. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Severn River, College Creek, and Weems Creek, Annapolis, Maryland [CGD05-03-038] (RIN: 1625-AA08) received May 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2799. A communication from the President of the United States, transmitting the Annual Report to the Congress on Foreign Economic Collection and Industrial Espionage; to the Committee on Intelligence (Permanent Select).

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. HYDE: Committee on International Relations. House Resolution 260. Resolution requesting the President to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents or other materials in the President's possession relating to Iraq's weapons of mass destruction, adversely; (Rept. 108-168). Referred to the House Calendar.

Mr. ROGERS of Kentucky: Committee on Appropriations. H.R. 2555. A bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes (Rept. 108-169). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Florida: Committee on Appropriations. Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2003 (Rept. 108-170). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Florida: Committee on Appropriations. Report on the Suballocation of Budget Allocations for Fiscal Year 2004 (Rept. 108-171). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOM DAVIS of Virginia: Committee on Government Reform. A Citizen's Guide on Using the Freedom of Information Act and the Privacy Act of 1974 to Request Government Records (Rept. 108-172). Referred to the Committee of the Whole House on the State of the Union.

Mr. KNOLLENBERG: Committee on Appropriations. H.R. 2559. A bill making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes (Rept. 108-173). Referred to the Committee of the Whole House on the State of the Union.

Mrs. MYRICK: Committee on Rules. House Resolution 292. Resolution waiving a requirement of clause 6(a) of rule XIII with respect

to consideration of certain resolutions reported from the Committee on Rules (Rept. 108-174). Referred to the House Calendar.

Mr. LINCOLN DIAZ-BALART of Florida. Committee on Rules. House Resolution 293. Resolution providing for consideration of the bill (H.R. 2555) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes (Rept. 108-175). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. TOM DAVIS of Virginia (for himself, Mr. BOEHNER, Mr. WELDON of Florida, Mr. LIPINSKI, Mr. SHAYS, Mr. CARTER, Mr. WILSON of South Carolina, Mr. EHLERS, and Mr. DEMINT):

H.R. 2556. A bill to provide low-income parents residing in the District of Columbia, particularly parents of students who attend elementary or secondary schools identified for improvement, corrective action, or restructuring under title I of the Elementary and Secondary Education Act of 1965, with expanded opportunities for enrolling their children in higher-performing schools in the District of Columbia, and for other purposes; to the Committee on Government Reform.

By Mr. YOUNG of Alaska (for himself and Mr. DUNCAN):

H.R. 2557. A bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCINTYRE:

H.R. 2558. A bill to amend the Water Resources Development Act of 1976 to allow the Secretary of the Army to extend the period during which the Secretary may provide beach nourishment for a water resources development project; to the Committee on Transportation and Infrastructure.

By Mr. MANZULLO:

H.R. 2560. A bill to amend title XVIII of the Social Security Act to clarify the scope of chiropractic services that may be furnished under the Medicare Program and that chiropractors are the only health care professionals qualified under that program to furnish those services; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 2561. A bill to provide grants to States to establish, expand, or enhance prekindergarten programs for children who are not yet enrolled in kindergarten; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 2562. A bill to provide financial assistance to law school graduates who choose to accept employment in a public interest position; to the Committee on Education and the Workforce.

By Ms. BERKLEY:

H.R. 2563. A bill to amend the Head Start Act to provide additional funding for States with increased numbers of children eligible for participation in Head Start programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CAPUANO (for himself, Mr. DELAHUNT, Mr. NEAL of Massachu-

setts, Mr. OLVER, Mr. LYNCH, and Mr. MARKEY):

H.R. 2564. A bill to amend the Internal Revenue Code of 1986 to provide that the harbor maintenance tax is applied to certain ports that import cargo exceeding \$100,000,000 in value per year; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 2565. A bill to amend section 2119 of title 18, United States Code, to strengthen Federal carjacking law; to the Committee on the Judiciary.

By Mr. KIND (for himself, Mr. GILCHREST, Mr. BLUMENAUER, and Mrs. TAUSCHER):

H.R. 2566. A bill to reform the Army Corps of Engineers; to the Committee on Transportation and Infrastructure.

By Ms. MCCOLLUM (for herself, Mr. EVANS, Mr. OBERSTAR, Mr. RODRIGUEZ, Mr. RYAN of Ohio, Mr. FILNER, Ms. CORRINE BROWN of Florida, Ms. WATERS, Mr. GUTIERREZ, Ms. DELAURO, Mr. STRICKLAND, Mr. SNYDER, and Mr. MICHAUD):

H.R. 2567. A bill to name the Department of Veterans Affairs Medical Center in Minneapolis, Minnesota, as the "Paul Wellstone Department of Veterans Affairs Medical Center"; to the Committee on Veterans' Affairs.

By Mr. OBERSTAR (for himself, Mr. BLUMENAUER, Mr. HOBSON, Mr. LIPINSKI, Ms. NORTON, Mr. PASCRELL, Mr. LAMPSON, Mr. HONDA, Mr. FROST, Mr. SERRANO, Mr. MORAN of Virginia, Mr. SANDERS, Mr. BROWN of Ohio, Ms. WOOLSEY, Mr. DOGGETT, Ms. BALDWIN, Mr. BALLANCE, Mr. CASE, and Mr. SCOTT of Georgia):

H.R. 2568. A bill to amend title 23, United States Code, to establish a transportation and active living program, a safe routes to school program, and a nonmotorized transportation pilot program; to the Committee on Transportation and Infrastructure.

By Mr. EVANS (for himself, Ms. KAPTUR, Mr. HONDA, Ms. MILLENDER-MCDONALD, Ms. LEE, Mr. GRIJALVA, Mr. ABERCROMBIE, Mr. LARSON of Connecticut, Mr. TOWNS, Ms. SCHAKOWSKY, Mr. MCDERMOTT, Mr. LANTOS, Mr. WOLF, Ms. SOLIS, Ms. WATSON, Mr. FRANK of Massachusetts, Mr. SCHIFF, Ms. BORDALLO, Mr. FALEOMAVAEGA, Mr. KUCINICH, Ms. LINDA T. SANCHEZ of California, Mr. DAVIS of Illinois, Mr. LAMPSON, Ms. MCCOLLUM, Mr. CROWLEY, Mr. SANDERS, and Mr. LIPINSKI):

H. Con. Res. 226. Concurrent resolution expressing the sense of Congress that the Government of Japan should formally issue a clear and unambiguous apology for the sexual enslavement of young women during colonial occupation of Asia and World War II, known to the world as "comfort women", and for other purposes; to the Committee on International Relations.

ADDITIONAL SPONSORS

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

H.R. 49: Mr. MCINNIS and Mr. OTTER.

H.R. 196: Mr. SPRATT.

H.R. 290: Mr. HOLT, Mr. TAYLOR of Mississippi, Mr. ISRAEL, Mr. KIRK, Mr. SANDLIN, Mr. LYNCH, Mr. THOMPSON of Mississippi, Mr. WAMP, Mr. SCHIFF, Mr. POMBO, Mr. HAYWORTH, Mr. ISAKSON, Mr. BARTLETT of Maryland, Mr. JONES of North Carolina, Mr. PICKERING, Mr. SESSIONS, Mr. LANGEVIN, Mr. FORD, Mr. WEINER, Mr. BOEHLERT, Mrs. JO

ANN DAVIS of Virginia, Ms. ESHOO, Mr. McDERMOTT, Ms. SLAUGHTER, Mr. PLATTS, Mr. LEWIS of Georgia, and Ms. JACKSON-LEE of Texas.

H.R. 300: Mr. BURTON of Indiana.
H.R. 303: Mr. TOM DAVIS of Virginia and Mr. GEPHARDT.

H.R. 328: Mrs. NORTHUP, Mr. FILNER, Ms. GRANGER, Mrs. MCCARTHY of New York, and Mr. MORAN of Virginia.

H.R. 339: Mr. HERGER.
H.R. 369: Ms. KAPTUR.

H.R. 401: Mrs. MALONEY and Mr. LEWIS of Georgia.

H.R. 466: Mr. WYNN.

H.R. 487: Mr. ROHRABACHER.

H.R. 531: Mr. UDALL of New Mexico, Mr. DEAL of Georgia, Mr. CLAY, Mr. CHOCOLA, and Ms. LINDA T. SANCHEZ of California.

H.R. 548: Mr. FLETCHER, Ms. ESHOO, and Mr. COLLINS.

H.R. 589: Mrs. MUSGRAVE, Mr. BILIRAKIS, Mr. GALLEGLY, and Mr. SULLIVAN.

H.R. 594: Mr. NEUGEBAUER, Mr. MCCOTTER, and Mr. ETHERIDGE.

H.R. 668: Mr. SANDERS.

H.R. 713: Mr. WEXLER.

H.R. 817: Mr. BECERRA.

H.R. 898: Mr. NEAL of Massachusetts.

H.R. 919: Mrs. BLACKBURN.

H.R. 935: Mr. DEUTSCH.

H.R. 941: Mr. RUSH and Mr. WYNN.

H.R. 967: Mr. MICHAUD.

H.R. 1005: Mr. PICKERING.

H.R. 1006: Mr. VAN HOLLEN, Mr. BRADLEY of New Hampshire, Ms. BALDWIN, and Mr. DOGGETT.

H.R. 1031: Mr. WEXLER.

H.R. 1032: Mrs. JO ANN DAVIS of Virginia and Mr. STUPAK.

H.R. 1068: Mr. DELAHUNT, Mr. SPRATT, Mr. LUCAS of Oklahoma, and Mr. CLYBURN.

H.R. 1105: Mr. THOMPSON of Mississippi.

H.R. 1117: Mrs. MUSGRAVE.

H.R. 1167: Mr. EVANS and Mr. GUTIERREZ.

H.R. 1173: Mr. CHOCOLA.

H.R. 1191: Ms. ESHOO and Mr. BLUMENAUER.

H.R. 1196: Mr. ALLEN.

H.R. 1238: Ms. DUNN.

H.R. 1264: Mr. BISHOP of Georgia.

H.R. 1268: Ms. NORTON.

H.R. 1310: Mr. GOODLATTE, Mr. BOEHNER, Mr. SHAYS, Mr. KINGSTON, Mr. HASTINGS of Washington, Mr. SIMPSON, Mr. BALLENGER, Mr. LUCAS of Kentucky, Mr. WICKER, Mr. PICKERING, Mr. ROGERS of Alabama, Mr. PRICE of North Carolina, and Mrs. MYRICK.

H.R. 1394: Ms. MAJETTE and Ms. VELAZQUEZ.

H.R. 1400: Mr. LYNCH.

H.R. 1444: Ms. SLAUGHTER.

H.R. 1470: Mr. McDERMOTT.

H.R. 1472: Mr. FILNER and Mr. DOGGETT.

H.R. 1473: Mr. ACEVEDO-VILA and Mr. SANDERS.

H.R. 1477: Mr. MORAN of Virginia.

H.R. 1483: Mr. GRIJALVA and Ms. LINDA T. SANCHEZ of California.

H.R. 1501: Mr. GRIJALVA.

H.R. 1513: Mr. FLETCHER, Mr. GOODLATTE, Mr. GERLACH, Mr. LEWIS of Georgia, and Mr. LUCAS of Kentucky.

H.R. 1606: Mr. DEMINT.

H.R. 1622: Mr. DAVIS of Tennessee, Ms. HART, Mr. SIMMONS, Mr. STUPAK, Mr. FARR, Mr. DEFAZIO, and Mr. WEINER.

H.R. 1634: Mr. BOEHLERT.

H.R. 1647: Mr. KIND.

H.R. 1675: Ms. BALDWIN.

H.R. 1694: Mr. LANGEVIN.

H.R. 1707: Mr. BURGESS and Mr. GREEN of Wisconsin.

H.R. 1709: Mr. BELL and Mr. VAN HOLLEN.

H.R. 1760: Mr. GRIJALVA.

H.R. 1779: Mr. CALVERT and Mr. ISAKSON.

H.R. 1828: Mr. COBLE, Mrs. BONO, Mr. BURR, Ms. JACKSON-LEE of Texas, and Mr. PAYNE.

H.R. 1838: Mr. GUTIERREZ, Mr. RODRIGUEZ, Mr. MICHAUD, Mr. STRICKLAND, and Mr. HOLDEN.

H.R. 1839: Ms. PRYCE of Ohio.

H.R. 1865: Mr. RENZI, Mr. ROSS, and Mr. DAVIS of Alabama.

H.R. 1874: Mr. SANDERS, Mr. MCCOTTER, Mr. ABERCROMBIE, Mr. BOEHLERT, Ms. JACKSON-LEE of Texas, and Mr. DOYLE.

H.R. 1886: Mr. FALEOMAVAEGA and Mr. STARK.

H.R. 1916: Mr. NADLER, Mr. CLYBURN, Ms. CORRINE BROWN of Florida, Mr. LANTOS, Mr. RAHALL, and Mr. GOODLATTE.

H.R. 2009: Ms. SLAUGHTER, Mrs. JONES of Ohio, Mr. FARR, Ms. NORTON, Mr. ROTHMAN, Mr. PLATTS, and Mr. VAN HOLLEN.

H.R. 2022: Mr. MCINNIS and Mr. STARK.

H.R. 2038: Ms. SLAUGHTER.

H.R. 2042: Mr. FROST, Mr. SCHIFF, Mr. WU, Mr. NEAL of Massachusetts, Ms. LOFGREN, Mr. MARKEY, Mr. CROWLEY, Mr. STARK, Mr. KUCINICH, Mr. SMITH of Washington, Ms. HARMAN, Ms. BERKLEY, Mr. ENGEL, and Mr. SANDERS.

H.R. 2154: Mr. GILCHREST.

H.R. 2183: Mr. RUSH, Ms. HART, Mr. ROGERS of Alabama, Mr. HINOJOSA, Mr. SNYDER, Mr. ALEXANDER, and Mr. FILNER.

H.R. 2193: Mr. CAPUANO, Mr. HASTINGS of Florida, Mr. WYNN, and Mr. FROST.

H.R. 2198: Ms. LINDA T. SANCHEZ of California.

H.R. 2208: Mr. FLAKE and Mr. NEUGEBAUER.

H.R. 2211: Mr. ISAKSON.

H.R. 2238: Ms. MCCOLLUM, Mr. ENGEL, Mr. PALLONE, Mr. EMANUEL, Mrs. MCCARTHY of New York, Ms. CORRINE BROWN of Florida, Mr. DEUTSCH, Mr. RANGEL, Mr. FATTAH, and Ms. DELAURO.

H.R. 2246: Mr. GONZALEZ, Mr. JENKINS, Mr. WAMP, Mr. FRANK of Massachusetts, Ms. BALDWIN, Mr. CLYBURN, Mr. DEAL of Georgia, Mr. KENNEDY of Rhode Island, Mr. EHLERS, Mr. DAVIS of Alabama, and Mr. STUPAK.

H.R. 2247: Mrs. JONES of Ohio, Mr. DINGELL, and Mrs. CHRISTENSEN.

H.R. 2253: Mr. CARDOZA, Mr. GARY G. MILLER of California, Mr. HAYWORTH, and Mr. OSE.

H.R. 2262: Mr. STUPAK and Mr. DAVIS of Alabama.

H.R. 2265: Mr. BOEHLERT.

H.R. 2291: Mr. SPRATT.

H.R. 2295: Ms. SLAUGHTER.

H.R. 2318: Mr. LANTOS, Mr. BROWN of Ohio, Mr. DAVIS of Illinois, Mr. WYNN, and Ms. LEE.

H.R. 2333: Ms. BALDWIN.

H.R. 2351: Mr. ROYCE.

H.R. 2373: Ms. MCCARTHY of Missouri.

H.R. 2377: Mr. WEXLER, Mr. GRIJALVA, and Ms. JACKSON-LEE of Texas.

H.R. 2379: Mr. WILSON of South Carolina and Mr. CASE.

H.R. 2414: Mr. BRADLEY of New Hampshire.

H.R. 2418: Mr. FRANK of Massachusetts.

H.R. 2426: Mr. GEORGE MILLER of California, Mr. SCHIFF, Mr. TOWNS, and Mr. BLUMENAUER.

H.R. 2429: Mr. SPRATT.

H.R. 2433: Mr. PAUL, Mr. FROST, and Mr. MCGOVERN.

H.R. 2441: Mr. BEREUTER.

H.R. 2482: Mr. FRANK of Massachusetts.

H.R. 2498: Mrs. CHRISTENSEN.

H.R. 2502: Mr. SHAYS.

H.R. 2505: Mr. BROWN of Ohio, Mr. SCOTT of Georgia, Ms. JACKSON-LEE of Texas, and Mr. MCGOVERN.

H.R. 2512: Mr. WEINER.

H.R. 2513: Mr. STENHOLM.

H.R. 2546: Mr. GRIJALVA, Mr. GUTIERREZ, Mr. GEORGE MILLER of California, and Mrs. TAUSCHER.

H. J. Res. 38: Mr. GOODE.

H. Con. Res. 194: Ms. WATSON.

H. Con. Res. 213: Mr. BALLANCE, Mr. LARSON of Connecticut, Mr. CAPUANO, Mr. DAVIS of Alabama, Mr. LEVIN, and Mr. DEFAZIO.

H. Con. Res. 217: Mr. ENGEL, Mrs. JONES of Ohio, Ms. LEE, Mr. OWENS, Mr. WYNN, Mr. SMITH of New Jersey, and Mr. LEWIS of Georgia.

H. Con. Res. 224: Mr. SANDERS.

H. Res. 103: Mr. MORAN of Kansas and Ms. HART.

H. Res. 136: Mr. LUCAS of Kentucky.

H. Res. 234: Ms. ESHOO, Ms. LOFGREN, Mr. INSLEE, Mr. SANDERS, Mrs. JONES of Ohio, and Mr. SCOTT of Georgia.

H. Res. 240: Mr. SCOTT of Virginia.

H. Res. 273: Mr. BILIRAKIS.

H. Res. 290: Mr. LARSEN of Washington, Mr. HOUGHTON, Mr. LEVIN, Mr. DICKS, Mr. KILDEE, Mr. MANZULLO, Mr. OBERSTAR, Mr. McDERMOTT, Mr. ENGLISH, and Mr. SOUDER.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2555

OFFERED BY: Mr. MANZULLO

AMENDMENT NO. 1: At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available in this Act may be used by the Secretary of Homeland Security to enter into a contract for the procurement of manufactured articles, materials, or supplies unless section 2 of the Buy American Act (41 U.S.C. 10a) is applied to such procurement by substituting "at least 65 percent" for "substantially all".

H.R. 2555

OFFERED BY: Mrs. MALONEY

AMENDMENT NO. 2: In title II, in the item "OFFICE FOR DOMESTIC PREPAREDNESS—DOMESTIC PREPAREDNESS", in paragraph (4) after the dollar amount insert "(increased by \$300,000,000)".

In title III, in the item "DISASTER RELIEF (INCLUDING TRANSFER OF FUNDS)", after the first dollar amount insert "(reduced by \$300,000,000)".

H.R. 2555

OFFERED BY: Mrs. MALONEY

AMENDMENT NO. 3: In title II in the item "OFFICE FOR DOMESTIC PREPAREDNESS—DOMESTIC PREPAREDNESS", in paragraph (4), after the dollar amount insert "(increased by \$300,000,000)".

H.R. 2555

OFFERED BY: Mr. ENGEL

AMENDMENT NO. 4: In title II, in the item "OFFICE FOR DOMESTIC PREPAREDNESS—DOMESTIC PREPAREDNESS"—

(1) in paragraph (1), after the dollar amount insert "(reduced by \$500,000,000)"; and

(2) in paragraph (4), after the dollar amount insert "(increased by \$500,000,000)".

H.R. 2555

OFFERED BY: Mr. ENGEL

AMENDMENT NO. 5: At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available in this Act may be used to issue a certification of offsite emergency evacuation plans of nuclear power plants.

H.R. 2555

OFFERED BY: Ms. BALDWIN

AMENDMENT NO. 6: At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available in this Act shall be used to enter into any contract to develop, lease, or procure Coast Guard vessels in the National Security Cutter class or Offshore Patrol Cutter class unless the main propulsion diesel engines are manufactured in the United States by a domestically operated entity. The Secretary of

Homeland Security may waive the restriction in the preceding sentence on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that—

(1) adequate amounts of such components are not available from a domestically operated entity to meet requirements on a timely basis;

(2) such a contract is necessary to acquire capability for national security purposes; or

(3) there exists a significant cost or quality difference between components manufactured in the United States and components manufactured outside the United States.

H.R. 2555

OFFERED BY: MR. LOBIONDO

AMENDMENT NO. 7: In title II, in the item "IMMIGRATION AND CUSTOMS ENFORCEMENT—AIR AND MARINE INTERDICTION", after the dollar amount insert "(reduced by \$5,000,000)".

In title II, in the item "TRANSPORTATION SECURITY ADMINISTRATION—AVIATION SECURITY"—

(1) after the first dollar amount insert "(reduced by \$10,000,000)"; and

(2) after the fourth dollar amount insert "(reduced by \$10,000,000)".

In title II, in the item "TRANSPORTATION SECURITY ADMINISTRATION—ADMINISTRATION", after the dollar amount insert "(reduced by \$36,000,000)".

In title IV, in the item "CITIZENSHIP AND IMMIGRATION SERVICES—OPERATING EXPENSES", after the dollar amount insert "(reduced by \$12,000,000)".

In title IV, in the item "UNITED STATES COAST GUARD—OPERATING EXPENSES", after the first dollar amount insert "(increased by \$35,000,000)".

In title IV, in the item "UNITED STATES COAST GUARD—ACQUISITIONS, CONSTRUCTION, AND IMPROVEMENTS"—

(1) after the first dollar amount insert "(increased by \$75,000,000)"; and

(2) after the sixth dollar amount insert "(increased by \$75,000,000)".

In title IV, in the item "SCIENCE AND TECHNOLOGY—RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS", after the dollar amount insert "(reduced by \$47,000,000)".