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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. MURPHY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 5, 2003.

I hereby appoint the Honorable TIM MURPHY to act as Speaker pro tempore on this day.

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

PRAYER

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

All powerful and ever-living God, in You there is no darkness. From You nothing is hidden.

Shed upon us the radiance of Your light. May we see ourselves as You would judge us. May we see others as You would know them.

In the fullness of Your love and light, guide the Members of Congress that they may be men and women of great vision.

May they know in depth the American people they serve and enable them to read Your law written on their hearts.

Make them creative in their questioning and their search to respond to today's greatest needs.

For in them and through them, O Lord, You can reveal Your Divine Providence, again shaping America's history for tomorrow and future tomorrows.

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 Georgia (Mr. SCOTT) come forward and lead the House in the Pledge of Allegiance.

Mr. SCOTT of Georgia led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will receive five 1-minute speeches per side.

THE DISSERVICE TO MIGUEL ESTRADA AND THE AMERICAN PEOPLE

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

Mr. CHABOT. Mr. Speaker, I rise today appalled that an extremist minority in the other body has forced Miguel Estrada, an excellent and well-qualified attorney, to withdraw his name as a candidate for nomination to the D.C. Circuit of the U.S. Court of Appeals. As chairman of the Constitution Subcommittee and as cochairman of the Working Group on Judicial Accountability, I have been actively following the fight over the President's nominations, and I am shocked by the obstructionism that has taken place.

Prohibiting an up-or-down vote on this outstanding nominee is not only a disservice to Miguel Estrada, it is a disservice to the American people. In a time of rampant Federal judicial vacancies, the partisan politics employed by the minority in the other body is nothing short of an outrage and it has to stop.

LEGISLATION RECOGNIZING S. TRUETT CATHY

(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. Mr. Speaker, good morning. I rise at a moment of great honor to introduce legislation this morning that will recognize an outstanding Georgian and an outstanding American and one of my constituents, S. Truett Cathy. This legislation will recognize Mr. Cathy by naming the United States Post Office in Jonesboro, Clayton County in my district after him.

The Chick-Fil-A story back in 1946 when Mr. Truett Cathy and his brother, with a $10,000 loan, opened up a small, 24-hour restaurant in Hapeville, Georgia in my district called the Dwarf Grill. In 1967 in the Greenbriar Mall in Atlanta, Georgia, Mr. Cathy opened the first of the Chick-Fil-A restaurants and actually starting the concept of in-mall, quick-service, fast-food restaurant service.

Mr. Cathy is a devoutly religious man, and just to give an example of his character, every Sunday for the last 45 years, Mr. Truett Cathy teaches Sunday school to a group of 13-year-olds, and this has been going on for 45 years. Mr. Cathy is an extraordinary human being, a great American, who has established Chick-Fil-A restaurants all across this country, over 1,080 of them in 36 States, including the District of Columbia. What an extraordinary story.

Beyond that, a great humanitarian. Through his Winshape Foundation, he has established several foster homes across Georgia, Alabama, Tennessee,

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and even in Brazil. It is with great honor, Mr. Speaker, that I introduce to you this morning this legislation recognizing Truett Cathy and naming the post office in Jonesboro, Georgia after him.

SUPPORT NATIONAL POW–MIA RECOGNITION DAY

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

Mr. WILSON of South Carolina. Mr. Speaker, September 19, 2003 is National POW–MIA Recognition Day, and I urge my colleagues on that day to take a moment and reflect on the families whose loved one has never returned home.

Our resolve to find our 88,000 MIAs should assure our fighting forces today that our support for them does not end after the victory parades. Let us also remember the more than 140,000 Americans since World War I who have endured the hardships of captivity and made it back home.

Among the missing in action from Vietnam is Air Force Major Harold R. Sale of Lexington, South Carolina, shot down over Laos June 7, 1967. I wore a POW bracelet in his honor for years. I implore the governments of Laos, Vietnam, and North Korea to open their records and fully support our country's recovery efforts.

We continue to need people of character like Harold Sale to serve in our Armed Forces to protect our liberties. Indeed his nephew, Lieutenant Colonel Scott Cromer, continues the family tradition today as an Air Force pilot, displaying the courage of American military personnel.

In conclusion, God bless our troops.

SKYROCKETING HEALTH CARE COSTS

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

Mr. EMANUEL. Mr. Speaker, in Sunday's Chicago Sun Times, they had a headline noting the skyrocketing health care costs in America and how they were punishing consumers and businesses. One out of ten Illinois businesses are now looking at cutting their health care totally to their employees. We have double-digit insurance costs rising.

And what does the administration propose as we have record uninsured and record inflation in health care? Their proposal was to shut the hospital doors to the uninsured. And yet in Iraq, we are opening new hospitals. So on one day we shut the doors here in America to the uninsured, and on the next day we are opening new hospitals to deal with the uninsured in Iraq.

Today we have record unemployment, record uninsured in this country. In Iraq, we envision half the population to get universal health care and 100 percent maternity coverage. And yet today, we offer the uninsured in this country nothing. That is our vision.

We have a major health care crisis in this country, and the administration has not taken a single action to lower the number of uninsured. We cannot deny Americans the same dreams of affordable health care, quality education, a safe place to live that we promise to Iraqis. The same values and future that we hold for Iraq, we must pledge for all Americans as well.

THE TEN COMMANDMENTS PROTECTION ACT

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

Mr. PENCE. Mr. Speaker, it was King Solomon of Israel who said two millennia and more ago that it was the whole duty of man to fear God and keep the Commandments.

Thanks to the gentleman from Alabama (Mr. ADERHOLT), Congress has a chance to keep the Commandments in their place in the public square by passing the Ten Commandments Protection Act. With nearly 100 cosponsors, this act simply affirmatively asserts the provisions of the 10th amendment that say that State governments ought to be able to define how they display the Ten Commandments in State buildings. This is right under our law, that freedom of religion is not the freedom from religion, and respect for religion is enshrined in our history as we heard the prayer this morning and read ''In God We Trust'' on these walls, but it is mostly important because, despite the ethos of our times, God is still real and God still rewards nations that acknowledge him.

Let us adopt the Ten Commandments Protection Act and keep the Ten Commandments in their rightful place in the public square.

THE TROUBLED BUSH ECONOMY

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

Mrs. MALONEY. Mr. Speaker, this week we celebrated Labor Day. But for 9 million jobless Americans, there was no celebration at all, and sadly, their ranks are growing.

Today's Wall Street Journal notes that employers cut jobs for the seventh consecutive month in August, raising the total of job losses since the start of the year to over 431,000. Since George Bush took office, the number of unemployed Americans has grown by 3.2 million. This is the most dismal record since Herbert Hoover. Worse yet, the number of Americans experiencing long-term unemployment, which is defined as over 27 months, has nearly doubled since George Bush took office.

These are staggering numbers. A famous Republican once asked ''Are you better off than you were 4 years ago?'' It seems very fitting to ask now, are we better off than we were 3 years ago? The answer is a resounding no.

HONORING GENERAL RAYMOND G. DAVIS, SR.

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

Mr. GINGREY. Mr. Speaker, I rise today with a heavy heart, as the State of Georgia and indeed the entire Nation suffered the loss of a true hero. Two days ago, at the age of 88, General Ray Davis passed away in a Georgia hospital.

Mr. Speaker, after graduating with honors from Georgia Tech with a degree in chemical engineering in 1938, Raymond G. Davis, Sr. joined the Marine Corps with a commission as a second lieutenant. He began a long and distinguished service to our Nation during World War II when he earned a Purple Heart and Navy Cross for actions in the Peleliu and Palau Island operations. In 1952 he was rewarded the Congressional Medal of Honor by President Truman for his part in the Marine Division's historic fight to break out of the Chosin area during the Korean War.

Overall during his military career, General Davis was awarded, among others, the Medal of Honor, the Navy Cross, two Distinguished Service Medals, two Silver Stars, two Legion of Merits, one Bronze Star and one Purple Heart. During the Vietnam conflict, he had various military assignments and duties including Commander of the 3rd Marine Division, for which he was awarded the Distinguished Service Medal, as well as three personal medals from the Vietnamese government.

He was promoted to lieutenant general shortly after returning from Vietnam and became Commanding General Marine Corps Development and Education Command. President Nixon nominated him for the grade of general and reassigned him to the position of Assistant Commandant of the Marine Corps.

Upon receiving his fourth star and retiring in 1972, General Davis returned to Georgia and continued to serve his home State and the Nation. He ran the Georgia Chamber of Commerce for several years, attracting business and employment to our great State.

Mr. Speaker, our entire Nation benefitted from General Davis's service, and his passing touches us all today. My thoughts and prayers are with his wife, three children, seven grandchildren, and two great grandchildren.

□ 0915

DAILY BLUE DOG REPORT ON NATIONAL DEBT

(Mr. SANDLIN asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. SANDLIN. Mr. Speaker, it is time for the daily Blue Dog report.

Mr. Speaker, it has been 847 days since President Bush and the Republican Party embarked on their economic plan for our country. During that time, the national debt has increased by $1,161,083,093,278.33. According to the Web site for the Bureau of the Public Debt at the U.S. Department of the Treasury, yesterday at 4:30 p.m. Eastern Daylight Time, the Nation's outstanding debt was $6,801,408,479,637.10. Furthermore, in fiscal year 2003, interest on our national debt, or the debt tax, is $288,803,184,023 through July 31, the interest alone running at $1 billion per day.

We must pay down this debt. We must have fiscal responsibility in this country.

Mr. Speaker, that is the daily Blue Dog report.

A SAFE INTERNET SITE FOR KIDS

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

Mr. SHIMKUS. Mr. Speaker, last year we passed on this floor the ''kids.us'' site. President Bush signed this bill into law. It is a safe Internet site for kids.

Now I call upon corporate America, nonprofits and governmental entities to put information on the kids.us site. I also call upon all parents to demand that these entities do so.

The World Wide Web is an amazing, but dangerous, place for kids. With the arrival of kids.us, it has now become safer.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MURPHY). Pursuant to clause 8, rule XX, proceedings will now resume on the two motions to instruct conferees that were debated yesterday on which the yeas and nays were ordered.

The motion relating to H.R. 6 will be a 15-minute vote. The motion relating to H.R. 1308 will be a 5-minute vote.

MOTION TO INSTRUCT CONFEREES OFFERED BY MR. DINGELL ON H.R. 6, ENERGY POLICY ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on the bill, H.R. 6.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Michigan (Mr. DINGELL) on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 176, nays 211, not voting 47, as follows:

[Roll No. 476]

YEAS—176

Abercrombie
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clyburn
Cooper
Costello
Cramer
Crowley
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
Kleczka
Lampson
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Reyes
Ross
Rothman
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Scott (VA)
Serrano
Shays
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Weiner
Wu
Wynn

NAYS—211

Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pitts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rehberg
Renzi
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Souder
Stearns
Stenholm
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOT VOTING—47

Ackerman
Aderholt
Brady (TX)
Brown, Corrine
Clay
Conyers
Cubin
Cummings
DeGette
Doolittle
Engel
Fossella
Gephardt
Hinchey
Issa
Istook
Janklow
John
Kennedy (RI)
Kucinich
Larsen (WA)
LaTourette
Leach
Marshall
McCarthy (NY)
Meek (FL)
Mollohan
Murtha
Myrick
Owens
Oxley
Pickering
Platts
Rangel
Regula
Rodriguez
Rogers (AL)
Roybal-Allard
Schiff
Smith (TX)
Towns
Watt
Waxman
Weldon (PA)
Wexler
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD) (during the vote). Members are advised there are 2 minutes remaining in the vote.

□ 0938

Mrs. JOHNSON of Connecticut and Mr. RADANOVICH changed their vote from ''yea'' to ''nay.''

Mr. SERRANO changed his vote from ''nay'' to ''yea.''

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The conferees will be named after the following 5-minute vote.

Stated for:

Mrs. MCCARTHY of New York. Mr. Speaker, I was unable to cast a vote on a motion to instruct conferees on H.R. 6, the Energy Policy Act. Had I not been detained in an important meeting, I would have voted ''yea'' for the motion.

Stated against:

Mr. PLATTS. Mr. Speaker, on rollcall No. 476, I was unavoidably detained. Had I been present, I would have voted ''no.''

MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct conferees on the bill, H.R. 1308.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Tennessee (Mr. COOPER) 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 186, nays 210, not voting 38, as follows:

[Roll No. 477]

YEAS—186

Abercrombie
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Bereuter
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Castle
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinojosa
Hoeffel
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
Kleczka
Lampson
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Reyes
Ross
Rothman
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Waters
Watson
Weiner
Wu
Wynn

NAYS—210

Aderholt
Akin
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOT VOTING—38

Ackerman
Ballenger
Brown, Corrine
Clay
Cummings
DeGette
Doolittle
Dunn
Fossella
Gephardt
Hinchey
Hooley (OR)
Issa
Istook
Janklow
John
Kennedy (RI)
Kucinich
Larsen (WA)
LaTourette
Leach
Marshall
Mollohan
Murtha
Myrick
Pickering
Rangel
Rodriguez
Rogers (AL)
Roybal-Allard
Schiff
Smith (TX)
Towns
Watt
Waxman
Wexler
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 0946

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. KENNEDY of Rhode Island. Mr. Speaker, on September 5, 2003 I missed rollcall vote No. 476 and No. 477. Had I been here I would have voted: "yes" on rollcall No. 476, and "yes" on rollcall No. 477.

APPOINTMENT OF CONFEREES ON H.R. 6, ENERGY POLICY ACT OF 2003

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the Chair appoints the following conferees:

From the Committee on Energy and Commerce, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. TAUZIN, BILIRAKIS, BARTON of Texas, UPTON, STEARNS, GILLMOR, SHIMKUS, DINGELL, WAXMAN, MARKEY, BOUCHER and RUSH.

From the Committee on Agriculture, for consideration of sections 30202, 30208, 30212, Title III of Division C, sections 30604, 30901 and 30903 of the House bill and sections 265, 301, 604, 941–948, 950, 1103, 1221, 1311–1313, and 2008 of the Senate amendment, and modifications committed to conference: Messrs. GOODLATTE, LUCAS of Oklahoma and STENHOLM.

From the Committee on Armed Services for consideration of sections 11005, 11010, 14001–14007, 14009–14015, 21805 and 21806 of the House bill and sections 301, 501–507, 509, 513, 809, 821, 914, 920, 1401, 1407–1409, 1411, 1801, and 1803 of the Senate amendment, and modifications committed to conference: Messrs. HUNTER, WELDON of Pennsylvania and SKELTON.

From the Committee on Education and the Workforce, for consideration of sections 11021, 12014, 14033, and 30406 of the House bill and sections 715, 774, 901, 903, 1505, and 1507 of the Senate amendment, and modifications committed to conference: Messrs. MCKEON, SAM JOHNSON of Texas and GEORGE MILLER of California.

From the Committee on Financial Services, for consideration of Division G of the House bill and sections 931–940 and 950 of the Senate amendment, and modifications committed to conference: Mr. OXLEY, Mr. NEY and Ms. WATERS.

From the Committee on Government Reform, for consideration of sections 11002, 11005, 11006, 11010, 11011, 14025, 14033, and 22002 of the House bill and sections 263, 805, 806, 914–916, 918, 920, 1406, and 1410 of the Senate amendment, and modifications committed to conference: Messrs. TOM DAVIS of Virginia, MURPHY and TIERNEY.

From the Committee on the Judiciary, for consideration of sections 12008, 12401, 14014, 14026, 14027, 14028, 14033, 16012, 16045, 16084, 30101, 30210, and 30408 of the House bill and sections 206, 209, 253, 531–532, 708, 767, 783, and 1109 of the Senate amendment, and modifications committed to conference: Messrs. SENSENBRENNER, SMITH of Texas and CONYERS.

From the Committee on Resources, for consideration of sections 12005, 12007, 12011, 12101, 13001, 21501, 21521–21530, Division C, and section 60009 of the House bill and sections 201, 265, 272,

301, 401–407, 602–606, 609, 612, 705, 707, 712, 721, 1234, 1351–1352, 1704, and 1811 of the Senate amendment, and modifications committed to conference: Mr. POMBO, Mrs. CUBIN and Mr. RAHALL.

Provided that Mr. KIND is appointed in lieu of Mr. RAHALL for consideration of Title IV of Division C of the House bill, and modifications committed to conference.

From the Committee on Science, for consideration of sections 11009, 11025, 12301–12312, 14001–14007, 14009–14015, 14029, 15021–15024, 15031–15034, 15041, 15045, Division B, section 30301, Division E, and Division F of the House bill and sections 501–507, 509, 513–516, 770–772, 807–809, 814–816, 824, 832, 1001–1022, Title XI, Title XII, Title XIII, Title XIV, sections 1502, 1504–1505, Title XVI, and sections 1801–1805 of the Senate amendment, and modifications committed to conference: Mr. BOEHLERT, Mrs. BIGGERT and Mr. HALL.

Provided that Mr. COSTELLO is appointed in lieu of Mr. HALL for consideration of Division E of the House bill, and modifications committed to conference.

Provided that Mr. LAMPSON is appointed in lieu of Mr. HALL for consideration of section 21708 and Division F of the House bill, and sections 824 and 1223 of the Senate amendment and modifications committed to conference.

From the Committee on Transportation and Infrastructure, for consideration of sections 11001–11004, 11006, 11009–11011, 12001–12012, 12014, 12401, 12403, 13001, 13201, 13202, 15021–15024, 15031–15034, 15041, 15043, 15051, 16012, 16021, 16022, 16023, 16031, 16081, 16082, 16092, 23001–23004, 30407, 30410, and 30901 of the House bill and sections 102, 201, 205, 301, 701–783, 812, 814, 816, 823, 911–916, 918–920, 949, 1214, 1261–1262, and 1351–1352 of the Senate amendment, and modifications committed to conference: Messrs. YOUNG of Alaska, PETRI and OBERSTAR.

From the Committee on Ways and Means, for consideration of Division D of the House bill and Division H and I of the Senate amendment, and modifications committed to conference: Messrs. THOMAS, MCCRERY and RANGEL.

There was no objection.

GENERAL LEAVE

Mr. FREYLINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2765, and that I may include tabular and extraneous material.

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

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2004

The SPEAKER pro tempore. Pursuant to the order of the House of Friday, July 25, 2003, and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2765.

□ 0955

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2765) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2004, and for other purposes, with Mr. BASS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the order of the House of Friday, July 25, 2003, the bill is considered as having been read the first time.

The gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentleman from Pennsylvania (Mr. FATTAH) each will control 30 minutes.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the fiscal year 2004 District of Columbia Appropriations bill totals $7.9 billion. Included in this total are $466 million for Federal payments to various District programs and projects, which I will describe shortly; $1.8 billion in Federal grants to District agencies; and $5.6 billion in local funds for operating expenses and capital outlays of the District government.

This bill, Mr. Chairman, is a product of the hard work of every member of the Subcommittee on the District of Columbia. It is the culmination of several weeks of hearings, visits to local schools and other city institutions, and meetings with elected city officials and numerous others who have a keen interest in helping the District. I want to thank each of them for their interest in the District and their input into this bill. I especially want to thank the gentleman from Pennsylvania (Mr. FATTAH), my ranking member, for his advice, counsel and support. He has been a pleasure to work with.

Mr. Chairman, I believe this bill reflects Congress' commitment to helping our Nation's capital. This is where we all work and many of us live, our home away from home. So we have special reasons to help our capital city.

How grateful I am to so many of my colleagues for their ongoing efforts, prior to my chairmanship, to assist the citizens of this great city, especially its school children to have better lives, and many thanks, as well, to a number of my colleagues who now seek support for a number of new projects to further help the citizens in this budget.

When I became chairman, I wanted to get to better know this city. I did this by listening and learning, visiting children in their schools and touring the many neighborhoods that make up the city. I want to thank Mayor Anthony Williams, Council Chairman Linda Cropp, and School Board President Peggy Cooper Cafritz for the support and advice they have given me.

The Constitution, Mr. Chairman, gives Congress exclusive legislative authority over the affairs of the District, and I take this mandate seriously. The District is in a stronger financial position today than a few years ago. Much of this is due to Mayor Williams and the city council, but we cannot overlook the role Congress has played in the financial recovery as well.

□ 1000

The District still has a long way to go to resolve many personnel and management problems, but I believe that progress is being made. I stand ready to help in any way I can.

Mr. Chairman, the committee has carefully reviewed the District's budget request and, as reflected in the bill, has given the Mayor and City Council's priorities the highest consideration when putting this bill together.

As I mentioned earlier, the bill totals $7.9 billion of which $466 million are Federal payments to various programs and projects. This is $43 million below last year's allocation and equates to an 8.4 percent reduction.

Seventy-seven percent of these funds, or $359 million, is to continue funding of the D.C. courts, the Public Defender Service, the Court Services and Offender Supervision Agency, CSSOSA. These are District functions that the Federal Government assumed financial responsibility for in the National Capital Revitalization and Self-government Improvement Act of 1997.

The remaining 23 percent, or $107 million, are for programs and projects that directly benefit the District. These include: $17 million for the tuition assistance program for the District for college-bound District students; $15 million to reimburse the District for added emergency planning and security costs related to the presence of the Federal Government in the District; $10 million for a D.C. scholarship program; $42.7 million for capital development projects in the District; dollars for the Anacostia Waterfront Initiative; and dollars for public school facility improvements.

Lastly, Mr. Chairman, I am well aware that the President's request for a school choice program in the District of Columbia, which would provide D.C. school scholarships, has stirred up considerable controversy. Personally, I have supported such scholarships for the District since they were first proposed in 1995 by Members of Congress.

There is excitement that surrounds the very successful charter movement in this city. There are 37 charter schools and 11 more on the drawing boards, more than any other city in the Nation. We have charter schools in this city.

That excitement is also apparent in those parents who strongly advocate for this new educational choice option for their children.

While we are all supportive of the District public school system and the success of the city's charter school movement, many more children can be helped by this new program.

The statistics in the U.S. Department of Education on District student performance on reading, writing, math and other core academic studies are very disturbing. The bottom line is that children in this city will be helped by giving parents more choices for educating their children. Many parents are hopeful that we will act. That is why I am happy that later today we will have an amendment to provide for the authorization of the funding I have included in this bill.

There will be much debate on this issue. And one of the arguments the opposing side will make is that this bill does not provide funding for what is called the three-pronged approach to education which the District leadership wants. While that is true, it is not my intention that this be the case when we come out of conference with the Senate.

Due to the fiscal constraints of this bill, we were only able to provide for the D.C. scholarships; but the Senate bill includes additional funding for both public and charter schools as well.

I support the Mayor's approach and will work with Chairman YOUNG towards a conference allocation that is sufficient to address all three sectors of education in the city.

The timing of this bill, Mr. Chairman, is always of concern to the District, and rightly so, because the city's local funds cannot be spent until we pass the conference report for the bill. I am mindful of these concerns and will do everything within my power to get the District its funds in a timely manner.

In summary, the fiscal year 2000 District of Columbia appropriations bill is fiscally responsible, a balanced bill that deserves bipartisan support.

Lastly, I would like to thank the subcommittee staff, our excellent clerk Carol Murphy, Rob Nabors who works so well with the gentleman from Pennsylvania (Mr. FATTAH) and certainly with this chair, and Kelly Wade of my staff for their diligent and professional work on this bill.

I would also like to thank Nancy Fox from my immediate staff and William Miles from the gentleman from Pennsylvania's (Mr. FATTAH) staff for their hard work as well.

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

Mr. FATTAH. Mr. Chairman, I yield myself such time as I may consume, and let me start by thanking the chairman of the subcommittee, the gentleman from New Jersey (Mr. FRELINGHUYSEN). This chairman, I think in the ways most remembered of Julian Dixon, has taken the helm and worked hard, been sensitive to the issues arising here in the capital city. He has been out and about visiting and visibly showing the concern of the Congress for the plight of the city's neighborhoods. I think he most appropriately understands and appreciates the work that the city's leadership, the Mayor and the council and its delegate, the gentlewoman from the District of Columbia (Ms. NORTON), have done to rescue the city from its fiscal constraints from years ago.

Mr. Chairman, I worked with the gentleman from Virginia (Mr. TOM DAVIS) in creating the financial control board, which was modeled after the PICA Board that we instituted in Philadelphia that I sponsored in the legislature then, and it has worked well here in the District. The district is now on its own and has done a tremendous job in righting the ship.

The chairman understands and appreciates the superb leadership that superintendent Paul Vance has brought to the school district and the board of education here in Washington, D.C., and I just want to thank the chairman, thank his staff, particularly Carol Murphy, who has shepherded at the helm the work of the majority staff, and I would also like to thank Rob Nabors on the Democratic appropriations staff and William Miles from my personal staff that have worked on D.C.-related matters.

We come here today with a bill in which there will be a lot of attention on what we disagree on, and we disagree on one item, that of vouchers; but I do not want that to overshadow the fact that this bill, absent that one disagreement, is a very significant accomplishment and it is owed solely to the leadership of the chairman and his capable political skills and bringing to a consensus how we should address a whole host of issues affecting our capital city.

This is, I think without disagreement, in the world's only remaining superpower, the wealthiest country in the world, this is our capital city, and it is a symbol in every important way to world visitors, foreign leaders, and to those who look upon this Nation as to where our priorities are. So it is important work that the Congress does. And as we seek to promote democracy in other places, I know that we hope one day here in the District that American citizens who pay taxes and who are dying on foreign battlefields will have democracy here in the District and be able to have on the floor of this House not just a voice but a vote.

Mr. Chairman, today I commend the chairman for this bill. I think it addresses the critical issues in important ways. He has fought for an allocation that some may have some issues with, but it is representative of approaching what we need to address the District's problems; and I thank him and his staff for their work.

Mr. Chairman, I hope we can enter into the general debate and move through this bill, have a passionate discussion about the question of vouchers but not overlook the fact that we have broad agreement here on the direction of what our fiscal responsibilities are to the District of Columbia.

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

Mr. FRELINGHUYSEN. Mr. Chairman, it is my pleasure to yield 5 minutes to the gentleman from California (Mr. CUNNINGHAM), the vice chairman of the committee and, in fact, a longtime member of the committee.

Mr. CUNNINGHAM. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, this committee used to be a drudgery. If you asked somebody to serve on the D.C. committee, you had to pull them out from under the bed to get them to come to work. I would say that thanks to the ranking member, the chairman, and the work that the committee has done over the past few years, it has gotten to be one of the better committees.

I think if one looks at what has been done in a bipartisan way, and, yes, we do have some differences, but in a bipartisan way, with the help of a Mayor that is business-oriented, Mayor Williams, who I think has done a good job, I think we can be proud of the committee and the output of this, with a couple of exceptions.

I have volunteered to stay on the committee all these years I have been in Congress because I have an education background and I had several goals. One was to help the education system in Washington because it had some of the highest cost and lowest productivity. Any Member that would go out into the city will find some very dedicated, very good teachers in Washington, D.C. I know the ranking member and the chairman have both gone out into the community, as I have, and visited some of these schools. You would be amazed at the differences since the committee has started to work.

The Mayor has gone through a pretty tough bureaucracy; and like all bureaucracies, sometimes you cannot get the things done that you want even though you are the leader of a city. So I laud the Mayor for the work that he has done. Even though in some cases very slow, he has plodded through it. He has kept true to his word. He communicates, and I thank Mayor Williams for that.

Another area was the waterfront. But there was a whole area in which pilings had been left from the 1940s that were corroding into the Potomac River. The Anacostia River had the highest fecal count of any river in the United States. It was not just pollution that was killing the fish. There is such a high fecal count because every time it rains that raw sewage goes into the Anacostia River. Fish were dying because of the bacteria. There was so much bacteria it ate the oxygen and the fish suffocated. That is how bad it was. We still need a

national program to help the Washington, D.C. sewage system. Without it, we will not clean up our rivers, and it will be a health hazard to Washington, D.C.; and I look forward to working with my colleagues on doing that as well.

If my colleagues will go down now they will see a marina in progress. Half of it is done, and the other half, all the pilings that were leaching creosote into the water, are gone and the new docks are coming in. Guess what? That is revenue to the city because that is leased land. Instead of being a drain, instead of being a deficit, it will be a revenue producer for the city.

My goal is to make the waterfront like a San Diego, where I live, or a San Francisco wharf and waterfront where people can go down with their families and enjoy the waterfront and water that is clean instead of polluted like it even still is today. And again I want to thank the ranking member.

We differ a little bit on economic scholarships. I personally think my colleagues would be surprised that, yes, I support vouchers, as some call them, or economic scholarships, whatever you want to call them. But I only support them if the community wants them. I do not think the Federal Government should mandate it. The community must itself want them, because in some areas there may be transportation costs far exceeding the cost of moving a child to another area. There may be a certain school that, a private school, that does not take IDEA children. And those costs may be apples and oranges.

In many areas across the country vouchers do work. In my opinion, Washington, D.C. is a classic. I know the gentlewoman opposes it, but the Mayor supports it, the city supports it; and I think the people that in some cases where their children are trapped, where a mother of a child that wants to learn is out there and wants to get out of the quagmire that they live in but yet are trapped in a school that does not produce, they deserve the opportunity. The first goal is to bring that school up to level, I agree, with public education. But in the meantime, let us not let that child get left behind. Let us work with that child.

I think my colleagues know my heart is in the right place, even though they may disagree with me on the issue. But I think it will be a good program.

Mr. Chairman, I again want to thank the ranking member and the chairman and the members on the committee. It is starting to be a very good pleasure to work with this committee.

Mr. FATTAH. Mr. Chairman, I yield myself such time as I may consume to thank the gentleman from California for his comments and his work on the committee, and indeed it is because of the leadership that he has brought that a great deal of progress has happened in terms of the waterfront.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. FATTAH. I yield to the gentleman from California.

□ 1015

Mr. CUNNINGHAM. Mr. Chairman, Mayor Williams did another thing. The highest incidence for prostate cancer is among African Americans, and the highest incidence in the United States is in Washington, D.C. The mayor worked with our committee and chairman and ranking member, and on a sleet, rain-driven night, we packed the house in a town hall meeting on prostate cancer for African Americans because it had never been done before. The mayor has agreed to do another meeting, and we plan on doing that.

Mr. FATTAH. Reclaiming my time, it is well known that the gentleman from California (Mr. CUNNINGHAM), unlike many other Members, has sought and stayed on this committee and has made a real contribution at the waterfront, and I am aware of his efforts in terms of this particular type of cancer.

I would tell him in terms of the sewer system and the infrastructure in the District of Columbia, there are tremendous needs. I understand the President will be down soon with a $13 billion request to rebuild the sewer system in Iraq with taxpayer money. Maybe there might be a few pennies left that we can do something more to help in our own capital city; but Members should not hold their breath because I am sure we will be told there is not enough money to address these domestic concerns.

The question of vouchers is an important one, and I am going to yield to the Member who has the most to say about this. As the gentleman from California (Mr. CUNNINGHAM) said, really there is not a lot of disagreement because if somebody wants this, it should not be outlawed. But the question here in the District of Columbia was there was a referendum. The voters have spoken. They do not want vouchers.

Mr. Chairman, I yield 8 minutes to the gentlewoman from the District of Columbia (Ms. NORTON) to address the bill and any particular concerns the gentlewoman wants to beyond that.

Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding me this time, and I thank the gentleman from New Jersey (Mr. FRELINGHUYSEN) who has worked in such a bipartisan fashion with the gentleman from Pennsylvania (Mr. FATTAH) on this appropriation. I want to thank them both for their bipartisanship, bipartisanship without compromising their principles, but also for their sensitivity to home rule and the fact that this is an independent jurisdiction that ought to be able to speak up for itself the way jurisdictions of every Member of this House can.

I am proud how far our city has come under the leadership of Mayor Williams and City Council Chairwoman Linda Cropp and our city council. We have come a very long way from insolvency to a city now that is in better shape than most jurisdictions in the United States because of the prudence of our local leadership.

I want to talk about what this bill is about because this is not our usual D.C. appropriation where I would normally thank the President for funding my tuition access bill, and let me do it anyway, probably the most popular legislation in the District of Columbia because it allows young people to go to any State-supported institution anywhere in the United States; but nobody will remember the D.C. appropriation 2003 for anything but one issue. Members simply have to concentrate on what they are voting on.

This is a bill with a vouchers-only provision. We will hear promises about maybe in the Senate they will have some money. That bill is in huge trouble in the Senate, and of course some money has been put in for public funding when there was an uproar in the city about funding vouchers, and then the pro-voucher officials came forward and said wait a minute, we have a three-sector approach, and we will get some money for the public schools, too.

But everybody understands the public money is a cover for vouchers. It is a way to take the sting out of vouchers. This is one of the most anti-voucher jurisdictions in the United States of America. They have tried it here for 20 years, and this is a jurisdiction which sent me, their Congresswoman, time and again, back here to ask Members to veto their appropriation to keep vouchers from being attached to it until President Clinton could somehow negotiate them off.

So the people of the District of Columbia have not turned around on a dime and flip-flopped and said we want vouchers. All Members need to do is sit in my office and they will know where they stand, because the elected officials, the majority of the elected officials of the school board, the majority of the city council, have written to you to say we do not want vouchers.

What is important for every Member to know and to understand is that this is not only a vouchers-only bill so that is what Members are going to be voting on, but this will be the first time in the United States of America that the Congress of the United States has sent money to private schools, something that huge numbers of Members on the other side of the aisle have crossed to this side of the aisle to vote with us to say we will never do.

There is a reason people do not do it. They do not do it in part because two-thirds of the American people oppose vouchers, if we want to get down to particulars. But this year is the last time we would want them to do it because this is the year when if Members went home for recess, Members heard a bipartisan backlash against a bipartisan bill, the No Child Left Behind bill, because people are now beginning to pay the unfunded mandate for No Child Left Behind, and now Members

are going to vote to send money to private schools with that $9 billion unfunded mandate.

Schools are in the worst crisis that they have been in our country since World War II, the worst funding crisis, according to all of the data coming forward. What do Members have in your own districts on CNN and everywhere else? Slick, expensive ads, national TV, the opening salvo to a new nationwide drive for vouchers in every district, just as that well-funded set of forces have wanted to do for some time.

If Members pass this bill, if Members vote for vouchers, they will send a signal to every private school in the country, every organization of private schools, to every organization of religious schools, that this is the time to bring pressure to get the same kind of private school deal that the District of Columbia got, and Members can expect the same slick ads right in their district.

Mr. Chairman, many Members have heard from our mayor. He is my good friend, and will continue to be my good friend, even on an issue like this. We will continue to work closely on the issues affecting our city. He has pressed this Congress, but he has not successfully pressed the elected officials of the District of Columbia or the people of the District of Columbia.

We have the letter from the council chair and Members have the letter from the parents' association. Perhaps Members saw the hundreds of D.C. residents, led by ministers and rabbis who fanned out all over this Congress on Wednesday to say do not do vouchers in this city. We are not to be your pilot. Do not experiment in the District of Columbia, experiment in your own States. The city has a situation here which is not cost free. We are undergoing $40 million in cuts, another $25 million will go out if 2,000 students exit if the schools are funded on a per-pupil basis. D.C. has a $50 million unfunded No Child Left Behind mandate right now. All of our elected officials should be down here trying to get that money the way Members of Congress have.

The District of Columbia wants Congress to respect their alternatives. We are ahead of virtually every district in this Congress on alternatives. We have our own charter schools, the largest number in the United States per capita. They have long waiting lists. Those are the chosen options of our people by our people. We have 15 transformation schools for the poorest children in the District of Columbia, the first breakthrough in Stanford 9 scores in the history of the city. That breakthrough will no longer occur unless the funding that the city has put in continues. And then, of course, a child in the District of Columbia can go out of boundaries; something that Members' districts have yet to do or have finally been mandated to do, we have been doing for decades.

Members do not want vouchers in their districts. They have been voted down on the floor. I represent this District of Columbia. I am here to tell Members you do not want them in your district, and we do not want them in our district. This is not a Democratic or Republican issue, it is not because a huge majority, almost two-thirds of the American people, oppose vouchers; and why would Members think it would be any different in the District of Columbia? It is no different.

Mr. Chairman, Members should not forget where their constituents stand when they cast their vote today. I certainly have not forgotten where mine stand.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 4 minutes to the gentleman from Florida (Mr. WELDON), a valued member of the Subcommittee on the District of Columbia.

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for yielding me this time, and I want to commend the gentleman from New Jersey (Mr. FRELINGHUYSEN) for his hard work in support of the city, and I particularly want to commend him for caring. I have enjoyed working with him over the past year, and I have been able to clearly discern that he is very interested in improving the city. It is America's city. I think we all have a vested interest in making sure that we make Washington, D.C. a better, healthier place to live, better, healthier place to educate their kids.

I want to address the school choice issue that we are going to be debating in more detail later, just to make one very, very important point. I really want to commend the chairman and, as well, the gentleman from Virginia (Mr. TOM DAVIS) for their hard work. One of the things that has always bothered me is that wealthy people in America have school choice, but poor people do not. Many of those families in poor neighborhoods cannot afford a private option. Unfortunately, many of those types of situations are in the District of Columbia.

I have wanted for years to be able to seriously look at this issue, go into some of the poor neighborhoods in America, give the parents the option. And really when we have a marketplace, when parents have an option, I think quality improves. We know that in the consumer sector with consumer goods, it is good to have companies competing with each other. I think the reason higher education in America is the best in the world, our colleges and universities, is because there is a real marketplace. We can send our kids to any college. And the hope with the public schools and school choice is that the public schools will rise with the other schools when they have to compete for students, but we need to get good data.

The gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from New Jersey (Mr. FRELINGHUYSEN) have crafted some very good language that will help us look at this issue. I think it is very, very appropriate, and I want to address one very important thing. We are going to hear this over and over again. This pilot, this $10 million study that we are trying to do, is going to take money away from public schools, that it is going to take money away from public education.

The budget for the District of Columbia is $1.1 billion to educate their kids, and this money is a plus-up. If this amendment is defeated, they are not going to get the extra money. The real debate is not taking money away from public schools. I have been hearing that on the radio. We are not taking money away from public schools. We are putting an extra, actually from the Labor-HHS allotment, we are taking money from that committee and moving it over here so we can once and for all try to study this issue.

Despite what I think are very good intentions, and if school choice is so bad, like so many people on the left keep claiming, let us discover that.

I think the opposition to this issue has nothing to do with the arguments being put forward. It is about power and who controls where your kids are going to school. If this study shows that it works, if parents like it better, academic performance improves, these are all of the parameters the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Ohio (Mr. BOEHNER) are going to be following, along with the Secretary of Education is going to be following. If it actually shows that it works and it is good for the District of Columbia, it is good for the kids, it is going to erode the power of one of the most powerful groups in this country, and that is the teachers union, and that is the opposition to this.

□ 1030

To say this is going to move money from public education, if this gets killed, you do not get the money. That is really what it boils down to. We need to study this issue because kids are failing and they are failing unnecessarily and we need to do more for them.

Mr. FATTAH. Mr. Chairman, I yield myself such time as I may consume.

I want to make a couple of points. One is that it is true that the mayor has come out in favor of this approach, assuming that there would be dollars for our public schools and charter schools, in what we now call the three-prong approach. The three-prong approach is not what is before us at all, and I sincerely believe the chairman when he says that we hope in conference that we can address that. But the vote before us today is to do nothing additional for public schools, nothing additional for charter schools and solely and singularly take dollars and to provide them to private institutions.

I personally think that private school choice is wonderful and if people want to make private choices, I think they should pay for them privately. This is a public enterprise and we have

to make public choices. If we have got 70,000 children in a school system that lacks fully-qualified teachers, we should take every penny we can find and get them fully-qualified teachers; that if they lack libraries, we should get them libraries, and so forth and so on. We know what we need to make public schools work. They work right outside of the District of Columbia today, in Fairfax County, in Alexandria. They work. You put quality teachers in the classroom, you put a limited class size, you give them updated textbooks, and kids learn. Why do we not do that in the District? Why do we not give to them what we provide to other children rather than give them some unproven, newfangled idea that nobody has any indication will work?

The gentleman who just spoke, my colleague from Florida, Florida just had an embarrassment where they had vouchers going to some outfit who, it is at least alleged, was involved in terrorism activity. When you have these uncontrolled, unregulated vouchers, you can have everything from the David Duke Academy getting dollars to anything that anybody else can dream up.

We need to be careful as we go forward because all we are looking forward to here is for some kind of embarrassment.

Mr. Chairman, I yield 3 minutes, even though I only promised him 2½, to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Chairman, first let me thank my good friend from Pennsylvania for yielding me this time and his generosity.

In my congressional district, the Third District of Maryland, I represent 110 District of Columbia residents. They live at the Oak Hill detention center, a maximum security campus in Laurel, Maryland, approximately 30 miles from Washington. It is located on more than 600 acres of Federal land adjacent to the National Security Agency. The facility was originally constructed 50 years ago. Few renovations have been made since then, and the campus is now in a severe state of neglect and disrepair, littered with partially-boarded abandoned buildings that are frequently broken into and set afire. Roughly half the children at Oak Hill have been convicted of crimes and sentenced to a term there, and the other half are detainees awaiting trial. Their average length of stay is more than 8 months.

A 2001 mayoral commission recommended closing Oak Hill and placing youth offenders in a network of residential treatment facilities, community-based group homes and other less restrictive settings. I support the commission's recommendations, including the closing of Oak Hill. Some progress has been made toward that goal, including beginning construction of a pretrial holding facility in northeast Washington that should reduce by 50 percent the number of children housed at Oak Hill.

July's four-part series in the Washington Post documented a near complete breakdown of the community-based rehabilitative care system that now exists for the District's youth offenders. The District needs to develop an appropriate community-based system for its juvenile offenders.

In addition, because the District of Columbia has only one residential treatment center which is plagued by alleged physical and sexual abuse, the city must send many of its children to lengthy stays out of State. Currently 400 District children are in residential treatment centers, some as far away as Arizona, at a conservative cost of $25 million a year.

Mayor Williams recently acknowledged that his juvenile justice system is in a state of serious dysfunction and has pledged to take corrective measures. But he was also quoted as saying, ''There hasn't been an embrace, at the agency level, of the issue. There hasn't been the sense of urgency.'' I would tell the mayor that there is a sense of urgency for both the District of Columbia and in my district in Maryland.

I recently had the opportunity to meet with the gentlewoman from the District of Columbia (Ms. NORTON) and Deputy Mayor Carolyn Graham, and I subsequently visited Oak Hill. There I met with youth services administrator Gayle Turner and her staff and I toured the facility and surrounding grounds. I was impressed by the progress we were making. As a result of our initial discussions, they were moving in the right direction: toward razing the dilapidated structures that are beyond rehabilitation and toward developing proposals to make more cost-effective and more appropriate use of the land. That is why I was disappointed that both of the individuals I met with positions were terminated and no longer are there.

Today's debate is about funding the District of Columbia, but this issue involves more than appropriate funding levels. This is about the best course of treatment of these children, the best way to ensure the safety of our communities and the most appropriate use of Federal land.

Mr. Chairman, as the representative of the community surrounding Oak Hill, I look forward to working to help improve the state of juvenile justice services for the District of Columbia. I might also point out that the Federal land on which Oak Hill is located is a prime site for expansion of NSA and for the State of Maryland and Anne Arundel County to develop environmental, recreational and economic opportunities.

I hope to continue working with the gentlewoman from the District of Columbia (Ms. NORTON), with the members of the Subcommittee on the District of Columbia, and with Mayor Williams and the city council to develop the right solutions for all involved.

Mr. FRELINGHUYSEN. Mr. Chairman, I would like to reiterate that Mayor Anthony Williams, the chief elected officer, the mayor of this city, supports this choice option.

Mr. Chairman, I am pleased to yield 6 minutes to the gentleman from Virginia (Mr. TOM DAVIS), the chairman of the Committee on Government Reform, who I have had the pleasure of working with and who is the architect of this D.C. parental school choice initiative in his bill.

(Mr. TOM DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

Mr. TOM DAVIS of Virginia. Mr. Chairman, I have a lengthy statement talking about generally what is in this bill, really basically praising the gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentleman from Pennsylvania (Mr. FATTAH) for putting together a very good bill.

I would like to address briefly, though, the Davis amendment that will be coming up before this body a little bit later. I will submit for the RECORD a Washington Post editorial written by Tony Williams, the elected mayor of the city; Kevin Chavous, elected council member and chairman of the District's education committee; and Peggy Cooper Cafritz, the elected chairman of the school board, all supporting my amendment and the school voucher program. I will also submit for the RECORD a May 12, 2003, editorial from the Washington Post which sets the record straight on the history of school vouchers in Washington.

Let me just say, the idea that this is an anti-voucher city is something we need to contend with. The vote in 1981 was not on a school voucher program like we have here. It was on tuition tax credits that one could argue hurt the District budget. I think we have solved that here by bringing additional money in, and more money will be coming into the city that would not otherwise come in as a result of the appropriations process I think at the end of this.

So that was a completely different proposal. That vote was in 1981. The Washington Post, a newspaper of some renown in this town, ran a poll in May of 1998 that asked, do you favor or oppose using Federal money in the form of vouchers to help low-income students in the District go to private or parochial schools? In that poll, 56 percent of city residents said they favored the idea. If that is the idea of anti-voucher, I think that we are being misled. City opinion is split on this, but the elected mayor and the elected chairman of the school board have come to us, they are in charge of this, they are entrusted by the voters to focus on this particular issue, and they have said that they need this to help D.C. schoolchildren get the same level of opportunity that the rest of us have for kids in our districts.

Over the years I have worked hard to try to bring this city back. I have worked with my friend, the gentlewoman from the District of Columbia

(Ms. NORTON), on a number of issues and we have had a number of successes. We have sponsored legislation to bring the city back to financial stability. We sponsored legislation to help the city overcome its unfunded pension liability, a major issue that people said could not be done. We have worked in assisting the economic recovery of this city with tax relief and regulatory relief for our Nation's capital. We have worked together on the D.C. College Access Act which makes college affordable to the District population that basically was discouraged from going because they had no State university system like the rest of us do in our States. I think all of these have helped. But the most difficult problem facing this city is its public school system.

I respect my colleagues who oppose this amendment. They argue that public dollars should be reserved for public schools only. I think philosophically I believe the same thing, but I think they are misguided in this instance when they put the preservation of the institution, a failed institution, ahead of the opportunities for children that could be advanced by this. Ultimately our responsibility is to the kids, not to an institution, not to a failed, dysfunctioning bureaucracy.

What has it produced over the years? They say that we are going to put more money into public schools. We have put more money into public schools. It still has one of the highest dropout rates in the Nation. It has some of the lowest test scores in the Nation. The average SAT throughout the city, combined verbal and math, is under 800. It is a failure. Its school lunch program was just rated by the Physicians Committee on Responsibility and was given an F. They cannot even feed the kids in the public school system. Yet they say, no, that is where we want to send them, that is where they have to go. We are talking about kids whose parents cannot move to the suburbs. They cannot move to Ward 3. They are trapped in an area, in a monopoly system that is not even giving them a decent school lunch. By the way, that same system rated my county a B on its school lunch, rated the city of Detroit an A-minus, but the city of Washington gets an F on its school lunch program.

It is a system that has produced a disproportionate number of rapes, of assaults and robberies to kids in the public school system. Yet they say we want them to go to that school, a public school system, that we will just add more money, which we have done. Over $2,000 a year more is paid on a kid's education in the city than is paid in my county of Fairfax. If money were the answer, we would put money at it and solve the problem. But it is a failed institution. You cannot put, to quote biblically, new wine into old bottles. This is an old bottle and it needs fixing. It is a system that last week was found to have paid $59,000 to a phantom company that does not even exist.

For opponents of this amendment who say more money, it is the same old, same old, same old. If you do the same thing time and time again, you are going to get the same results. President Bush has talked about the soft bigotry of low expectations. We are trying to change that. These kids deserve every bit the opportunity that my kids have. The proof in the pudding here is that no Member of the House to my knowledge has sent their kids to the D.C. public school system in the last decade. The President and the Vice President, living here and given that opportunity to pick any school in the city, chose private schools.

We just want to give the same opportunities to the poorest of the poor. This legislation restricts it to kids from nonperforming schools, low-income. This is going to be, I think, a shock treatment to the public education system. Five years from now I hope we will not need this, I hope the public education will improve, but it is not going to improve without this kind of shock treatment. I urge my colleagues to support the Davis amendment.

[From the Washington Post, May 12, 2003]

STRAIGHT TALK ON VOUCHERS

In making her case against a federally funded school voucher pilot program, Del. Eleanor Holmes Norton (D) has repeatedly said that D.C. voters are firmly opposed to the idea. Thus, she argues, to support vouchers is to oppose home rule. As the basis for her declaration, Ms. Norton cites the results of an exit poll conducted in November for the National School Boards Association. The poll, which she supplied to this page, showed that 76 percent of the 603 voters interviewed opposed school vouchers. But as is true of so much that stirs up this city, Ms. Norton's poll is hardly gospel.

Let's look at the wording of the question posed in the poll. It asked: ''Do you favor or oppose giving taxpayer-funded vouchers to parents to pay for their children to attend private schools even if that means less money for public school students?'' Note the phrase ''even if that means less money for public school students.'' That's a loaded question if there ever was one. What majority would favor that? It would be just as unfair if voucher supporters sponsored a poll that asked, ''Do you favor or oppose giving taxpayer-funded vouchers to parents to pay for their children to attend private schools if that enables them to transfer out of an inferior public school with low test scores?'' Imagine the responses to that question.

There is a less prejudicial way to measure public sentiment on the school voucher question. The Post conducted a poll based on random interviews with 1,002 D.C. adults in May 1998 that asked the following: ''Do you favor or oppose using federal money in the form of vouchers to help send low-income students in the District to private or parochial school?'' In that poll, 56 percent of city residents said they favored the idea, compared with 36 percent who opposed vouchers and 8 percent who had no opinion. Ms. Norton may be aware of that poll as well, since the results and story were published on May 23, 1998.

The Post's findings are consistent with the results of a National Opinion Poll on education conducted with 1,678 adults in May 1999 for the nonpartisan, nonprofit Joint Center for Political and Economic Studies. The center researches and analyzes issues of concern to African Americans and other minorities. The center's poll found that ''support for school vouchers among African Americans, which has fluctuated in past Joint Center polls, grew by 25 percent since 1998 with 60 percent of African American respondents favoring school vouchers.'' But beyond polls is the question of actual demand for school choice. Not only are parents expressing their strong desire for alternatives, as the popularity of public charter schools attests, but private associations that provide scholarship assistance to D.C. students seeking enrollment in private or parochial schools also report strong requests for help from D.C. parents. Shouting that support for vouchers doesn't exist in the District won't make it so. Neither will over-the-top rhetoric and personal invective that add little substance to the debate.

Mr. FATTAH. Mr. Chairman, I yield myself such time as I may consume.

Let me just make a couple of comments. A basic understanding of how the city government operates is that the mayor is the executive. City policy is designed by a consensus between the council and a majority and the executive through statute. There is nothing that prevents the D.C. Government at any time from instituting a voucher program if it wants to. There does not exist a political consensus in the District; that is, the legislative body, which we should have great sympathy for as we are a legislative body, does not agree with this policy. So to say, well, you have got the city's support because you have the mayor, ask us if you have the full support of the city government when you actually do not.

It is important that as we say that we come with great concern about the plight of the children in the District and that we want them to have the same opportunity that our children have, let us give them the same opportunity that the constituents of the gentleman from Virginia have. That is, they have quality schools with fully-qualified, credentialed teachers. Let us take these dollars and provide that here in the District. They have schools that have updated curriculums and adequate libraries and school counselors for all of the children who are presented to the schoolhouse door, not taking a few children, siphoning them off and helping them, and forsaking the rest to a District that by his own statement is not living up to what we would hope it would live up to.

□ 1045

So this question of diverting public dollars for a private school and schools is a very important one about what we really believe. If we want to truly help these children, let us do for them what we are doing for other children, and that is provide quality public schools in the District of Columbia so that these children and future generations of them can benefit because we already know that that works. It works right in the gentleman from Virginia's (Mr. TOM DAVIS) district. It works today. Vouchers have not been proven to work anywhere in the country, and why experiment on the future life chances of these children here in the District?

Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WATSON).

Ms. WATSON. Mr. Chairman, I stand in strong opposition to the provision in the District of Columbia appropriation bill authorizing $10 million in funding for school vouchers.

Having worked as an elementary school teacher, a school psychologist, and having served on a school board of the largest school district in the State of California, I have seen firsthand the need to strengthen standards in our public schools and to demand more from our teachers and our students through better accountability and adequate resources.

However, voucher programs that divert precious funding away from the public school system, and particularly here in D.C., would do exactly the opposite.

First, vouchers lack accountability. Private schools funded by vouchers are not subjected to the same standards established by the Leave No Child Behind Act.

Second, vouchers can discriminate. Private schools have the ultimate say in deciding which students they want to enroll, and they can screen out applicants based on any factor without obeying Federal antidiscrimination laws. The children that need to be focused on are not going to be admitted in these private schools. Trust me when I say that.

Finally, vouchers simply do not have a proven record of success. There is no discernible difference in achievement between students and voucher programs and students in public education program. Every time vouchers have appeared on the California ballot, they have been voted down. Senator FEINSTEIN's support of this provision is not reflective of the will of the people in California in this regard.

So how else could we use this $10 million? We could use it to improve the public schools which are already facing a $40 million budget cut.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield myself such time as I may consume.

I would like to say for the record that the dollars for this new choice program will be given to the parents so that they can make the choice. They will not be given to the school. And secondly, I need to reiterate this is new money. This is money that came from the gentleman from Ohio's (Mr. REGULA) mark. It is not being taken away from the public schools or from the charter schools.

Mr. Chairman, I yield 3 minutes to the gentleman from Washington (Mr. NETHERCUTT), a member of the Committee on Appropriations.

Mr. NETHERCUTT. Mr. Chairman, I want to thank the chairman of the subcommittee for yielding me this time and commend him for his leadership not just on the issue of education for students in the District of Columbia, but for all the aspects of this bill that benefit the District of Columbia, our Nation's capital.

I do not think we should overlook the good parts of this bill and the dedication that has been placed on making this bill very responsive to the needs of the District of Columbia, over and above the issue of education for the students here.

I also want to commend the gentleman from Pennsylvania (Mr. FATTAH) who has been I know a strong leader on advocacy for the District of Columbia, and the team of the gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentleman from Pennsylvania (Mr. FATTAH) have been responsible in trying to address the needs of this District, this Nation's capital, this jewel of a city that we want all of this country to be so proud of.

I want to reiterate the gentleman from New Jersey's (Mr. FRELINGHUYSEN) comment about the $10 million in this bill for vouchers. Why in the world would we not want to use this new money for an education purpose that the mayor and otherwise people feel is appropriate for these children? And why would we say, let us not have that $10 million go to kids? It will be lost if it is not used for this purpose. So I would argue that this is a responsible course for this committee, this Congress, to take, to use this $10 million, to give these kids a chance. It is not all the thousands of children who need the money, but it certainly is going to help parents and children who are in need in this educational environment in which we find ourselves.

As the gentleman from Virginia (Mr. TOM DAVIS), who is such a strong leader on advocacy for the District of Columbia and good government has stated, this is an effort that the City wants, I would argue, that the mayor wants, and he is taking a very difficult, but responsible, position to help the kids of this District.

So my comments are really to commend the gentleman from New Jersey (Mr. FRELINGHUYSEN) for his dedication as the new chairman to this bill, to this City, to the needs of this City, and also to commend his partner in this effort, the gentleman from Pennsylvania (Mr. FATTAH), who is also dedicated and committed to trying to do what is right for these children. But I think we should make sure that when the day is done, that we vote in favor of children, vote in favor of the new $10 million to go to parents and children to improve their education capabilities and to improve their education experience here in the District.

So I rise in support of that concept and that mission that I think we have today to try to pass this legislation, but also pass this very important amendment that is such a part of the gentleman from Virginia's (Mr. TOM DAVIS) attention.

Mr. FATTAH. Mr. Chairman, I yield myself such time as I may consume.

I would like to enter into the RECORD a new story from the Florida Naples Daily News which headlines ''Private School with Ties to Terrorists gets State Money'' through a private tuition voucher program.

And I appreciate the comments from the gentleman from Washington State. It is true that the mayor supports dollars for vouchers which I disagree with. It is also true, and I think fair to say, that this is not the proposal that the mayor supports. He supports a three-pronged approach that is not what is going to be before us today, and I sincerely appreciate all the work that the gentleman from Virginia (Mr. TOM DAVIS) has done on behalf of the District, but this is not a proposal that the mayor supports nor is it a proposal that the City Council supports. So to say this has the support of the District, I think, is really kind of twisting things slightly.

[From the Florida Naples Daily News, July 18, 2003]

PRIVATE SCHOOL WITH TIES TO ALLEGED TERRORIST GETS STATE MONEY

TAMPA.—Senate Democrats urged Gov. Jeb Bush on Thursday to cut off payment to a school co-founded by a professor accused of being the North American leader of a worldwide terrorist organization.

The school received $350,000 last year through a state program that pays private school tuition for some students.

A February grand jury indictment against Sami Al-Arian, the alleged leader of the Palestinian Islamic Jihad, and seven others says the school was used as a base of support for the organization.

The indictment said the purpose of the organization was ''to assist its engagement in, and promotion of, violent attacks designed to thwart the Middle East Peace Process.'' It said the Palestinian Islamic Jihad is responsible for 100 murders in Israel and its territories.

Al-Arian, who is being held in jail without bail and denies any connections to terrorism, co-founded the school in 1992 and served as its director and chairman of its board.

The school's treasurer, Sameeh Hammoudeh, also was indicted and is being held in jail without bond. He and Al-Arian allegedly encouraged people who wanted to send money to Palestinians to write checks to their school. The Palm Beach Post reported in its Thursday editions.

Last year, the 300-student Islamic Academy of Florida received more than 50 percent of its revenue from the state program, Florida PRIDE, which uses corporate donations to pay for poor students to attend private schools.

''The disclosures that more than $300,000 of this money went last year to a school suspected of terrorist ties raises the frightening specter that Florida's taxpayers may be unwittingly funding extremist organizations intent on the destruction of our nation and its allies,'' Senate Democratic Leader Ron Klein and Senator Dave Aronberg wrote in their letter to Gov. Jeb Bush.

Denise Lasher, spokeswoman for Florida PRIDE, said officials conducted an independent audit of the school after the indictment was released and found no misuse of funds and no connection between the scholarship money and terrorist activity.

She said the school received more than $300,000 in federal grants for computers and its free- and reduced-price school lunch program.

''It was unfortunate that there was someone at the school accused of doing something

illegal, but that doesn't mean the school has done something illegal,'' she said Thursday.

But although Florida PRIDE found that all of its scholarship money was going to the school, Hammoudeh was paid for his services as school treasurer, and the indictment states that school supplies and equipment were used in the Jihad operation. It is unknown whether Al-Arian was being paid.

Corporations that donate to the program receive a dollar-for-dollar tax break. The program gave out nearly $50 million in scholarships last year.

Since the program began, large corporations such as WCI Communities Inc., Gulf Power Co., Florida Power & Light and Verizon Wireless have donated to the program, but how much and to which program is not public information.

Critics of the corporate tax credit scholarship program are concerned that there is no government oversight of the schools that take the money. In their letter to Bush, Klein and Aronberg called for a review of the program and of the schools.

Under the May 2001 law, the Florida Department of Education cannot dictate curriculum or monitor how students are progressing academically.

But Lasher insisted the schools teachers and students and teachers are top notch academically.

Senate President Jim King, R–Jacksonville, jokingly said in May that he could start a school for witches under the law and receive corporate tax credit scholarships.

''The intent of this program was to help poor kids. The intent was never to make opportunistic entrepreneurs wealthy,'' said King, who also ordered a study of the program.

Despite the accountability concerns, Bush remained a supporter, saying last week that it was a ''proven success,'' based on the students receiving the scholarships.

Ahmed Bedier, spokesman for the Muslim advocacy group Council on American-Islamic Relations, said the Tampa school is well respected. He noted that the University of South Florida is also mentioned in the indictment.

But USF, where Al-Arian was a professor and Hammoudeh was an instructor, is not listed as one of the bases of support for the Palestinian Islamic Jihad.

Administrators at the Islamic Academy did not return phone calls Thursday.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentleman for yielding me this time.

Mr. Chairman, I rose on the floor of the House yesterday and asked my colleagues to join me in eliminating Federal intrusion into the decision-making of Houston, Harris County, as related to light rail. I am very proud to say that mostly along a party-line vote, my colleagues on this side of the aisle recognized and respected local control. My good friends, the Republican majority, again dashed the hopes and dreams of local communities and decided to intrude their desires on those local communities.

Today we do the same thing. But we do so by experimenting with our children. And I believe that this House has no place in experimenting with the lives of the children of this Nation or of Washington, D.C. In particular, I would have hoped that we would have focused more of our energies on providing full funding for Leave No Child Behind. For someone who served in local government, there is nothing more severe than unfunded mandates, and that is what Leave No child Behind represents.

The distinguished chairman of this subcommittee on the District of Columbia of the Committee on Appropriations, has indicated that this is new money. Let me say to him that why not use the new money for a good purpose and that is to build up the public schools of D.C., to build up the two credited chartered schools that need more resources?

Every study indicates that when we begin to use public funds for private schools, we diminish the very heart of the education of this Nation, and that is the equality of having good quality public schools that all may access. Why not take the $10 million and provide the school supplies and backpacks that many of these children need or clothing that many of these children need?

This is a bad amendment, adding $10 million when it could be use utilized for a more effective purpose. And might I ask to conclude, Mr. Chairman, that the D.C. Council, the legislative body, has actively opposed this legislation.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, could we have an audit of the time? We will not have audits of these private schools.

The CHAIRMAN. Each side has 4 minutes remaining.

Mr. FATTAH. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. OWENS).

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

Mr. OWENS. Mr. Chairman, in his first month, the President called together all Members of the Congress to support a bipartisan education bill. He said that he was willing to do two things: promise additional funding for education of no less than $6 billion, and he was also willing to take vouchers off the table as a part of Federal policy.

Now, we hear the Republican majority sneaking vouchers back onto the table. They are going to reinstitute the drive of the Republican majority to privatize education.

When the Republicans took control of the Congress, there were two former Secretaries of Education who reported to testify at our Committee on Education and the Workforce, Secretary Bennett and Secretary Alexander. They wanted to abolish the Department of Education. And because there was such a public outcry against the abolishment of the Department of Education and against the low profile of the Federal Government in education, Republicans decided to turn that around and camouflage their intent. They pretend now to be advocates of public education while guerilla warfare behind the scenes goes on.

And what we see now is an act of sabotage where vouchers are put back on the table at a time when education reform is already in great trouble. We are in trouble because of the lack of funds. School districts are shutting down early. In D.C. several years ago, schools started late because they did not have money for school construction or they had given money to private industry to do some construction. They had not done it well, and they had to shut down on the basis of safety. Private industry does not solve any problems for education. Enron shows that private industry can get us into greater trouble.

The Republicans have returned to their agenda for long-term privatization of education. This is the opening salvo of their new guerilla warfare. This first strike in Washington is very serious indeed. I do not want vouchers in New York. People do not want vouchers in New York. That is why we have to stop vouchers right now here in Washington.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Chairman TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Chairman, let me just set the record straight here, Mr. Chairman, because they talk about audits of time, there will be no audits of the private schools. That is false. The private schools that participate in this have to go through extensive recordkeeping and comparisons and will go through more when the Department of Education has written their regulations. So that is false.

There are no terrorism schools that currently would be eligible for this money as I read the legislation. So, again, that is just a red herring put up there to try to defend the existing status quo which has produced a failing school system that is depriving tens of thousands of District youngsters the kinds of opportunities that children around the rest of the country get.

I know the gentleman from Pennsylvania (Mr. FATTAH) has an amendment that wants to compare with Fairfax County. Let me make a point. The District of Columbia pays more per student than they pay in Fairfax County or Arlington. If this were a money problem, they would get the money, but they have a school system that when given the money has not been able to produce textbooks on time, was under court order to repair its schools, wasted just last week $59,000 on a phantom contract to a company that does not even exist.

Mr. FATTAH. Mr. Chairman, I yield myself such time as I may consume.

Let me say to the gentleman from Virginia that I think it gives some example of the weakness of the proposal when we have to go to, well, they gave some contract and it is being investigated. The Defense Department has given out contracts that have become fraudulent.

□ 1100

So I do not see us privatizing our Nation's defense because of some malfeasance with one particular contract.

Let us not get into anecdotal situations. Let us deal with the reality, which is the public school system is a public good. It is important to the entire community. It is not just about educating one child; it is about what we see as the need to promote values for the entire community.

When you privatize public education, you create very parochial, selfish interests. This school in Florida in which the principals have now been indicted with these terrorist leanings, this is not some joke, this is not some example of a red herring. This is reality, in the news today about what has happened when the State of Florida provided public dollars to private institutions.

There have been similar scandals in other places around the country, and there will be, I guarantee you, because the majority will probably have its way, when this program gets set up there will be scandals here because of this program.

That is not what makes it bad, because some people will use it improperly. What makes it bad is what it says about the public spirit of our actions, which is that we would rather take 2,000 children and siphon them off into private schools, rather than repair a school system that can provide for 70,000 children, which really should be our goal.

We are going to build 1,500 new schools in Iraq at the cost of billions, but here we are scrapping on the floor of the House about $10 million for the District of Columbia, our capital city. It is a question about what our priorities are. I would hope for the District quality teachers, smaller class sizes, updated textbooks. That is what I believe the solution is, not vouchers.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Chairman TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Chairman, let me again just say how much I have enjoyed working with the gentleman from Pennsylvania (Mr. FATTAH) and the gentlewoman from the District of Columbia (Ms. NORTON) on a number of other issues. We have a difference on one issue that we will resolve today on the House floor and then we will go on, and we will be working together on other issues tomorrow.

But this is an important issue; it is important I think to all of us. And this is not dollars to private schools; these are dollars to parents. Because what has happened to the District of Columbia over the years, thousands of District residents have moved to the suburbs so their kids could get a decent education that they could not get in the city. Thousands of District residents send their kids to private schools because the public schools in the city have failed them.

Not one Member of Congress, not a member of the city council, currently has their kids in the public schools of the District of Columbia. They are not good enough for our kids, but they are good enough for the people who cannot afford otherwise. This is a chance to equalize opportunity. That is all it is.

It has been requested by those poor families that came before our committee and testified. They said, We have been waiting for years. They said they are going to fix the system, and 9 percent of our school children are reading proficiently in the 4th grade.

That is the problem, and that is what we are trying to fix, not defend a system that is failing our kids.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield myself the balance of my time.

In closing, make no mistake about it, Mayor Williams supports what we are doing today. The gentleman from Virginia (Chairman TOM DAVIS) has referenced the editorial in The Washington Post by Mayor Williams and Councilman Chavous and Peggy Cooper. Let me read from it:

''For those of us involved every day in urban education, there are staggering realities that keep us awake at night. Every child who graduates without basic skills or drops out altogether is on a potential pathway to public assistance, to being alienated from the full benefits of participation in society, or, worse, to a life in the criminal justice system.''

They go on. They say: ''We think that this is an appropriate investment by the Federal Government in the children of the Nation's capital. Without the resources ordinarily provided by a State, the District is more challenged than other cities in its efforts to adequately fund public education and foster innovative reform.

''Our children,'' they go on, ''have endured decades of neglect in public education. But there is hope. We have a reconfigured school board and respected superintendent.''

They say, ''Despite these underpinnings, parents still want more choices. At town meetings, community picnics, hearings and PTA meetings, we hear the same complaints: I cannot find the right setting for my child, or my child is not flourishing in this environment.''

This is a good bill, Mr. Chairman. This is about parental choice, and it is good for the students and children of the District.

Mr. MILLER of Florida. Mr. Chairman, I rise today to offer my strongest opposition to H.R. 2765, the District of Columbia Appropriations for fiscal year 2004.

Many of you may not realize, but this legislation allows DC taxpayer dollars to be used for domestic partner benefits. Any allocation of the DC budget should not be used to fund domestic partner benefits. The family unit—beginning with a marriage between one man and one woman—has been the basic unit of every civil society since time immemorial. I firmly believe that marriage is a legal union between a man and a woman and the foundation for a strong, healthy family.

Studies have proven time and time again that a healthy marriage between a man and a woman provides the fundamental support for rearing healthy children, both mentally and physically. Despite the overwhelming evidence of the benefits of marriage to families and society, the sad fact is that, for over four decades, the welfare system has penalized and discouraged marriage. Allowing domestic partnerships means providing employment, health, or government benefits to unmarried domestic partners. By recognizing the partnership they will benefit from both the welfare system and tax credits, which undermines the sanctity of marriage and government services for those truly in need.

Although I am in opposition to the overall legislation, I urge my colleagues to strongly support the District of Columbia Student Opportunity Scholarship Act. Who should have the right to determine where a child goes to school, the parents or the government? I unconditionally believe parents have this right and are in a much better position than a government bureaucrat to decide what is best for a child. Public schools are government-run and supported by individuals through their tax-dollars. Vouchers would allow parents to use their own tax dollars to achieve the means of educating their children.

I urge my colleagues to oppose this bill.

Mr. BLUMENAUER. Mr. Chairman, taking money away from under-funded public schools and diverting it into selective private schools is fundamentally flawed.

This proposed voucher program is part of a larger initiative of the Bush administration to privatize essential services whereever they can. A basic problem is that the experience of privatization shows little evidence of enhanced accountability or performance. In fact, the 10-year Government Accounting Office study of public and privately funded voucher programs found no evidence of test gains for children who participated in voucher programs. Furthermore, the public when given their choice, have repeatedly voted against vouchers and recent national polls suggest no change in that opinion.

Our resources could be much better utilized to fulfill the President's promises. He and the Congressional Republican Leadership has walked away from funding No Child Left Behind leaving nearly $9 billion unfunded mandates throughout the Nation. In the District of Columbia, No Child Left Behind has left almost $50 million in unfunded mandates. It would be a tragedy to further short change public education by encouraging families to leave a system that can work and, unlike the private schools who would be favored with vouchers, our public schools take all our children no matter how needy or troubled.

I support innovation in public schools. Reform and improvement will happen sooner if we focus our attention and resources on our public schools. Rather than vouchers, we should start funding the Federal mandate of No Child Left Behind, the unmet 40 percent special education target, and school modernization. Congress needs to stop making the jobs of public schools harder.

Mr. STARK. Mr. Chairman, I rise today in opposition to this unpatriotic and anti-democratic District of Columbia appropriations bill

(H.R. 2765), and in favor of Delegate NORTON's amendment to remove the school voucher program.

As the former Chairman for the Committee for the District of Columbia, I am disappointed that Republican Members are again carrying out their annual assault to force their extremist right wing policies on the District of Columbia—policies that are so extreme that they are unable to implement them nationwide.

I would like to remind the sponsors of this bill that the citizens of the District of Columbia do not want a school voucher program. That is why their elected representative, Delegate NORTON, is offering her amendment to strike this program today. I guess representative democracy is okay for the citizens of Iraq, but not for the citizens of our Nation's capital.

School vouchers do not solve the problems confronting our public schools. At best, private schools can only accommodate a small portion of students' educational needs in the District of Columbia. Nor will private schools—even with limited government financial assistance—ever be affordable to most families. It's simple, if enacted, this voucher program will mean fewer resources for the District's public schools. The $10 million for vouchers today would be far better used to improve the District of Columbia public school system, helping all children in our Nation's capital—not just a privileged few.

The Republicans have not stopped at subverting democracy in the District of Columbia with their school voucher program. They are also prohibiting the city from implementing a locally approved ballot initiative to allow the medical use of marijuana by DC residents suffering debilitating health conditions and diseases including cancer and HIV infection. In addition, the Republican bill maintains the current prohibition on the use of Federal or local funds for needle exchange programs in the District. Finally, the Republican bill prohibits the District from using Federal or local funds for abortions, except to save the life of the woman or in cases of rape or incest.

Like their foreign policy, the Republicans only support democracy in this country when it suits their extremist right wing ideology. The District of Columbia has an elected government that should be able to determine the laws for its residents—just like every state in our Nation determines its own laws. It is past time for Congress to respect the rights of the citizens of the District of Columbia and uphold democratic principles that this country was built upon.

I urge my colleagues to join me—and support democracy—by voting against the District of Columbia appropriations bill.

Ms. WOOLSEY. Mr. Chairman, had I been present, I would have voted ''no'' on rollcall No. 478. In fact, I am in strong opposition to the Davis amendment.

A sound public school system is the only way we can prepare all our children for the high skill, high wage jobs that will ensure America's leadership in the world marketplace, and will prevent dependency on welfare at home.

Public education is the backbone of our country, including here in the District of Columbia. It is why we are a great Nation. Public education is available to all. It does not discriminate, and, it must be strengthened, not weakened. Yet, there is no doubt that this amendment will profoundly harm DC public education. This amendment takes precious education dollars out of DC's public schools, and gives them to private and religious schools.

The supporters of this amendment act as if vouchers are a magic bullet for DC education. But this amendment doesn't help teachers, or give them more opportunities for professional development. This amendment doesn't build new schools or repair old ones.

That is why I oppose this amendment. Instead, we should all work with parents and educators at home, and work with each other here, to make the DC public schools the best in the world and to make sure that every child in DC gets a first class public education.

In addition, had I been present I would have voted ''aye'' on rollcall vote No. 479. I would have voted ''no'' on rollcall vote No. 480.

Had I been present during rollcall No. 463, I would have voted ''aye''. During rollcall No. 464, I would have voted ''no''. On rollcall No. 469, I would have voted ''aye''. During rollcall No. 470, I would have voted ''no''. During rollcall No. 471, I would have voted ''aye''. During rollcall No. 472, I would have voted ''aye''. During rollcall No. 473, I would have voted ''no''. During rollcall No. 474, I would have voted ''aye''. During rollcall No. 475, I would have voted ''aye''.

Ms. KILPATRICK. Mr. Chairman, I rise in opposition to H.R. 2765, the District of Columbia Appropriations for 2004. I oppose the bill because of the Davis, Frelinghuysen/Boehner amendment that seeks to authorize a school voucher program in the District of Columbia.

Proponents of the amendment contend that it will afford options to parents who want to improve the quality of education that their children will receive by providing $7,500 in funds for students to attend private elementary or high schools in the District. The proposal and the amendment are flawed because the District would have a program forced upon it. The members of the city council are opposed to the provision. The residents of the District are overwhelmingly opposed to this measure. Furthermore, I agree with the detractors of the proposal that the funds being proposed could be better used to fully fund public education programs in the District.

The impetus for the amendment is based on a parochial attitude by the authors that they know what is best for the students, families and residents that rely on the DC public education system. This provision undermines the principles of ''home rule''. I urge my colleagues to support the Norton amendment to strike down this harmful and ill-conceived provision designed to de-fund the DC school system and undermine support for public education.

Mr. LEWIS of Kentucky. Mr. Chairman, I rise today in strong support of enacting school choice programs. I watched and supported the development of this plan in the Government Reform Committee and I am very pleased it is before us today.

There are numerous skeptics who claim that school choice plans lack accountability. I disagree with this notion. Each voucher will be held by a parent or guardian who will demand that their child is appropriately cared for and educated. Parents are the ultimate instruments of accountability. To say that vouchers lack accountability is an insult to parents.

Last year the National Assessment of Educational Progress reported the results of thousands of children who took tests to find out how much they do and do not know. From these tests we have learned that over half of the 8th graders in the public school system in this city do not possess basic reading skills.

A maximum voucher of $7,500 would allow children in low income homes to no longer be trapped in deficient schools.

I would like to extend my praise to Mayor Williams, Chairmen DAVIS, BOEHNER, and FRELINGHUYSEN for their determination to provide better schools even when it was not the most popular thing to do.

Today, Mr. Chairman, I cast my vote for the young first grader a few blocks from here who will have the opportunity to excel because her parents had more options for her academic future.

Mr. NUSSLE. Mr. Chairman, I rise today in support of H.R. 2765, the District of Columbia Appropriations Act for Fiscal Year 2004. And I commend Chairman YOUNG for bringing this, the 13th appropriations bill, to the floor.

Under authority granted in Article I of the United States Constitution (section 8, clause 17), this bill appropriates Federal payments to the District to fund certain activities, and also approves the District of Columbia's entire budget, including the expenditure of local funds ($7.4 billion in local funds for fiscal year 2004). Although the vast majority of the funds discussed in this bill are local funds originating from the District of Columbia, I speak today only about the $466 million in Federal funds appropriated in this bill.

H.R. 2765 as reported to the House, provides $466 million in new budget authority. This bill is equal to the 302(b) suballocation for the District of Columbia subcommittee as adopted by the Appropriations Committee on July 22nd. I can report that this bill is consistent with the levels established in H. Con. Res. 95, the House concurrent resolution on the budget for fiscal year 2004, which Congress adopted as its fiscal blueprint on April 10. The bill therefore complies with section 302(f) of the Budget Act, which prohibits consideration of bills in excess of an appropriations subcommittee's 302(b) allocation of budget authority.

H.R. 2765 contains no emergency-designated new budget authority, no advanced appropriations, nor does it include rescissions of previously enacted appropriations.

The bill is $45 million above the President's request, these increases include $20 million for the water and sewer authority, and an additional $10 million for the District of Columbia scholarship program, $8 million for a unified communications center, and an additional $7 million for public school facilities and the family literacy programs.

In summary, this, the final appropriations bill, comes to the floor in a form that is consistent with the Budget Resolution.

Mr. BEREUTER. Mr. Chairman, this Member wishes to add his support for the District of Columbia appropriations bill for fiscal year 2004 (H.R. 2765) and would like to comment on what is probably the most controversial provision of the measure—the appropriation of $10 million in Federal funds for a scholarship program that would allow certain low-income District of Columbia parents to send their children to private schools.

Although this Member does not support school vouchers because they have the potential to do great damage to many public school

systems, this Member believes that the District of Columbia warrants special consideration.

The District of Columbia has one of the most troubled public school systems in the United States. School choice would offer hope to parents and students by giving them the opportunity to select a school that meets their educational needs, while the competition school choice brings would improve the overall educational atmosphere for the parents, teachers, and administrators who continue to work to improve the District of Columbia public school system.

School children in the District of Columbia have been trapped in failing schools for too long. Providing funding for a school choice program would provide certain low-income parents residing in the District of Columbia with the financial means needed to enroll their children in higher-performing schools in the District of Columbia. In addition, the funds these students receive could also be used to pay for transportation, fees, and tuition costs.

The House of Representatives has used the District of Columbia appropriations bill to provide school choice proposals for District of Columbia students in the past. In fact, both the fiscal year 1996 and 1999 District of Columbia appropriations bills, as passed by the House, contained language permitting the use of funds for a scholarship program (although the language was not enacted into law). This Member has supported these efforts in the past and believes it is essential that this appropriations bill contain similar language allowing for a District of Columbia scholarship program.

This legislation would not establish a voucher system; it is a system of scholarships. In a voucher system, the public school money would go with the child to the private or public school that the parents choose for their child. However, under this scholarship program, if a student receives a scholarship and decides to go to a private school, no funds would be taken from the specific public school that the child was attending. Therefore, the Washington, DC, school system would lose no money if low-income children choose to attend private schools with the scholarship money.

Opponents of the scholarship program claim that the District of Columbia public school system overall would lose money under this plan. However, the District of Columbia Mayor, Anthony A. Williams, has indicated he will lead to hold District of Columbia schools harmless, meaning that the public school system will keep more than $16 million in local per pupil aid for the 2,000 children they will no longer have to educate. This idea is briefly mentioned in the September 3, 2003, Washington Post editorial, entitled ''Washington's Children Deserve More Choices,'' written by Mayor Williams; Mr. Kevin P. Chavous, a member of the DC Council and Chairman of its Education Committee, and; Ms. Peggy Cooper Cafritz, President of the DC Board of Education. The article says, ''. . . our public schools will not be penalized financially for the loss of students to private or parochial schools.'' This Member has confirmed the Mayor's ''hold harmless'' provision with staff at the Government Reform Committee and the Education and the Workforce Committee.

Mr. Chairman, in closing, this Member urges his colleagues to support H.R. 2765.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the order of the House of Friday, July 25, 2003, the bill shall be considered for amendment under the 5-minute rule.

The amendment printed in House Report 108–230 may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall be debatable for 40 minutes, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2765

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia for the fiscal year ending September 30, 2004, and for other purposes, namely:

TITLE I—FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $17,000,000, to remain available until expended: *Provided,* That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: *Provided further,* That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further,* That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further,* That the account shall be under the control of the District of Columbia Chief Financial Officer who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *Provided further,* That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and Senate for these funds showing, by object class, the expenditures made and the purpose therefor: *Provided further,* That not more than 7 percent of the total amount appropriated for this program may be used for administrative expenses.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

For necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $15,000,000, to remain available until expended, to reimburse the District of Columbia for the costs of providing public safety at events related to the presence of the national capital in the District of Columbia, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions: *Provided,* That any amount provided under this heading shall be available only after notice of its proposed use has been transmitted by the President to Congress and such amount has been apportioned pursuant to chapter 15 of title 31, United States Code.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $163,819,000, to be allocated as follows: for the District of Columbia Court of Appeals, $8,775,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, $83,387,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Court System, $40,006,000, of which not to exceed $1,500 is for official reception and representation expenses: and $31,651,000, to remain available until September 30, 2005, for capital improvements for District of Columbia courthouse facilities: *Provided,* That funds made available for capital improvements shall be expended consistent with the General Services Administration master plan study and building evaluation report: *Provided further,* That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate: *Provided further,* That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and Senate, the District of Columbia Courts may reallocate funds provided under this heading for the Court of Appeals, District of Columbia Superior Court, and the District of Columbia Court System: *Provided further,* That such reallocation may increase or decrease funding for such entity by no more than two percent.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, and payments for counsel authorized under section 21–2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $32,000,000, to remain available until expended: *Provided further,* That the funds provided in this Act under the heading ''Federal Payment to the District of Columbia Courts'' (other than the $31,651,000 provided

under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: *Provided further,* That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia shall use funds provided in this Act under the heading ''Federal Payment to the District of Columbia Courts'' (other than the $31,651,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: *Provided further,* That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further,* That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $163,081,000, of which not to exceed $2,000 is for official receptions and representation expenses related to Community Supervision and Pretrial Services Agency programs; of which not to exceed $25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which $100,460,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons; of which $37,411,000 shall be available to the Pretrial Services Agency; and of which $25,210,000 shall be transferred to the Public Defender Service for the District of Columbia: *Provided,* That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further,* That notwithstanding chapter 33 of title 40, United States Code, the Director may acquire by purchase, lease, condemnation, or donation, and renovate as necessary, Building Number 17, 1900 Massachusetts Avenue, Southeast, Washington, District of Columbia to house or supervise offenders and defendants, with funds made available for this purpose in Public Law 107–96: *Provided further,* That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants: *Provided further,* That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous proviso, and shall make such records available for audit and public inspection.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, $35,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: *Provided,* That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

FEDERAL PAYMENT FOR THE ANACOSTIA WATERFRONT INITIATIVE

For a Federal payment to the District of Columbia Department of Transportation, $4,300,000, to remain available until September 30, 2005, for design and construction of a continuous pedestrian and bicycle trail system from the Potomac River to the District's border with Maryland.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $1,300,000, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT FOR CAPITAL DEVELOPMENT IN THE DISTRICT OF COLUMBIA

For a Federal payment to the District of Columbia for capital development, $8,000,000, to remain available until expended, for the Unified Communications Center.

FEDERAL PAYMENT FOR PUBLIC SCHOOL FACILITIES

For a Federal payment to the District of Columbia Public Schools, $4,500,000, of which $500,000 shall be for a window repair and reglazing program and $4,000,000 shall be for a playground repair and replacement program.

FEDERAL PAYMENT FOR THE FAMILY LITERACY PROGRAM

For a Federal payment to the District of Columbia, $2,000,000 for the Family Literacy Program to address the needs of literacy-challenged parents while endowing their children with an appreciation for literacy and strengthening familial ties: *Provided,* That the District of Columbia shall provide a 100 percent match with local funds as a condition of receiving this payment.

FEDERAL PAYMENT FOR A DISTRICT OF COLUMBIA SCHOLARSHIP PROGRAM

For a Federal payment for a District of Columbia scholarship program, $10,000,000, subject to authorization.

FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

For a Federal payment to the Chief Financial Officer of the District of Columbia, $10,000,000 for education, public safety and health, economic development, and infrastructure initiatives in the District of Columbia.

Mr. FRELINGHUYSEN (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title I be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. Are there any amendments to title I?

AMENDMENT NO. 3 OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Ms. NORTON.
Page 11, strike lines 1 through 5.

Ms. NORTON. Mr. Chairman, this amendment promises to be perhaps the first of three voucher-only votes in this body at this time. The first will be on this bill to remove or strike the funding for vouchers; the second would be the Davis bill, which will try to legislate vouchers onto this appropriation; and, of course, if vouchers remain in the bill, the third would be the vote on the bill itself.

The $10 million in this bill is not a lot of money, and that is really not what this controversy is about. It does not look like a lot until you look at where it comes from and where it is going and what will follow as a result of our vote.

First of all, first let us look at where the money is coming from. This money has come straight out of education. It took a vote in the Committee on Appropriations transferring money from the Labor-Education appropriation over to the District appropriation in order to fund this bill. It came straight out of education for this bill.

So we already see that this is not new money, as has been claimed, that this is money straight out of education, and that is where voucher money always comes from, because there is only one pot of money. Different folks may designate that pot, but there is only one pot of money, and that is where this money is coming from. It is coming from it for the first time, if you vote for this bill and against my amendment.

If you indeed vote to allow vouchers to remain in this bill, it will not go unnoted. I do not know where you were at recess, but I know that every State in the Union is crying about unkept promises for Federal money. The biggest unkept promise is special education, which is taking down education systems in entire States, including the District of Columbia. We promised 40 percent. We have not come close to that.

Then, of course, there is the backlash against the No Child Left Behind bill. That was a bipartisan bill. We are losing folks everywhere because of that unfunded mandate, because there are going to be children that are not going to be able to graduate from high school because the funding to help them prepare for the tests is not there.

As long as there are mandated costs on our States and school districts, it is simply impossible to justify diverting a single dollar of public money to private schools.

Now, I know that there are Members here who voted in committee for vouchers for the District who have never voted for vouchers generally on a Federal bill, because you can do anything on the District of Columbia. You can savage their public schools, as if

your States, I would say to the gentleman from Virginia (Mr. TOM DAVIS), did not have such schools in Southern Virginia, as if California, Mrs. FEINSTEIN, did not have the L.A. School District in it. And yet these folks will not vote to have vouchers so that those school districts, sometimes rural, sometimes big city, can have the same treatment as the District of Columbia.

The District of Columbia schools have improved, but you will not find me an apologist for the D.C. government and its problems or for the D.C. school system. I am proud of the fact that scores have gone up for the last 3 years. I am very proud of the transformation schools, where, with extra services for parents and children alike, we now see a breakthrough that no private school and no public school has ever accomplished. These are the poorest children in the District of Columbia. They have the least conscious parents. They have got foster parents, sometimes they have got no parents at all or hardly any parents; yet we have been able to break through because we provided a lot of extra services for the parents and for the children alike.

Private schools and religious organizations will not see a vote for vouchers for the District of Columbia as a vote that can be contained here, and they are going to try to do all they can to make sure it is not contained here. The pro-voucher forces have shown how well-funded they are. They have been into your States, sometimes two or three times, to get on the ballot; and you have turned them back every single time. Not a single voucher referendum in the United States of America has passed. But they keep coming back, because they have got a lot of money, and you see that money on television ads as I speak.

If you want to fund vouchers, do it the way the Washington Scholarship Fund did it. Fund the vouchers through private funds. Do not displace those private funds with public funds.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, make no mistake about it, this amendment would basically take $10 million in additional funds away from the District of Columbia which it badly needs and $10 million away from an educational system, by all accounts, that badly needs additional money so that children have choices as to where they can go to school.

We know, Mr. Chairman, that the Mayor supports this voucher proposal, the President of the school board, the chairman of the Committee on Education and Libraries and Recreation of the D.C. council.

The Mayor has said on school choice, ''Despite the steady increases in local funding and other efforts to support our public schools, I have learned firsthand from hundreds of parents who feel there are no practical or easy alternatives for their children within the current systems of public education.''

On another occasion, Mayor Williams said relative to school choice, ''I was elected by the people of my beloved city and I took the solemn oath to act in what I think are their best interests, even in the face of conventional political wisdom. Today, I believe I have an obligation to represent all the children of the District.''

Mr. Chairman, in my capacity as chairman, I have met with many parents who have children in the public school system who support this choice program. They are literally desperate to have this new alternative.

The clearest evidence of the excitement for school choice is in the city's charter school movement: 37 charter schools, 11 on the drawing boards. I had a group representing the charter schools in my office just yesterday saying that they had waiting lists for their four charter schools that they run running at 300 children. So I think there is a lot of desperateness on the part of parents to find alternatives.

I make the point again, Mr. Chairman, that the $10 million in the bill are additional funds for the District above the subcommittee's allocation. The gentleman from Ohio (Chairman REGULA) agreed to transfer the funding from the Labor-HHS bill, and I am grateful for his support of this initiative and the extra dollars.

□ 1115

Eliminating this funding puts the $10 million for the District in jeopardy of being transferred back to his committee and out of the city hands. For these and other reasons, I ask this amendment be rejected and we give the District leadership what it wants. What the mayor has asked for is these dollars and certainly has asked for additional dollars, and I have made a commitment to work in conference for the other dollars for the District school system, as well as additional dollars for the charter school movement.

Mrs. JONES of Ohio. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment. It is very interesting that this committee would say that the mayor and the chair of the school board of the D.C. school systems want this money. What mayor and what chairman of a school board would not want more money? But the reality is that this $10 million should perhaps be going towards adequately funding public schools. Perhaps it should be going towards teacher training so that the teachers in the classroom are better trained to do what they need to do. Perhaps the money should be going towards special education.

But I stand here from a community, the city of Cleveland, that was the test case in the Supreme Court for vouchers. And I stand here capable and able to tell you that an independent study from Indiana University reported that the children in voucher schools are doing no better than the children in Cleveland public schools. I stand here to say to you that instead of parceling out $10 million here and $10 million there, we ought to fund public education at a level that every child in the United States of America is getting a decent education. We ought to be saying to parents across this country that we want you to have the opportunity to fund education in public school systems.

Now, the reality is we keep talking about parental choice. Even in the Cleveland school system case, there was only a choice. All children who did not go to public schools and took a voucher went to Catholic schools. There was no choice. It was either public school or Catholic school. And it is clear in the language of the Supreme Court case that parents ought to have a choice. Let us get real in Congress. Let us get real. Let us talk about funding public education where all children have an opportunity to get a decent education. Let us talk about taking money and improving the building systems. Let us talk about taking money and reducing the teacher-student ratio. Let us talk about making real, making real this piece that we talk to children about, the importance of education, the importance of doing well.

By doing this $10 million voucher program for the D.C. school systems, we are leaving out so many other children that ought to have a decent education. The reality is in these United States the way we fund education based on property taxes does not, in fact, make it fair.

The Supreme Court of Ohio found that the way we fund education in the State of Ohio is unconstitutional because it means that if you live in a community where the property tax is high and the dollars are allocated for property tax for schools, that children in some parts of the State get a better education than children in the other parts of the State.

I say this morning, our job is to defeat this voucher program for the D.C. school systems, to support the amendment of my colleague, the gentlewoman from the District of Columbia (Ms. NORTON) and to support a strong public education for all children.

Mr. BACA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I stand in support of the elimination of these funds and that we put these funds into public schools. Public schools is where we need a fix. We need to fix our public schools. We do not need to take money and resources away from public schools. We want to make sure that every child has an opportunity to learn, that every child is given the same tools that they are given somewhere else.

The answer is not to take those privileged kids and put them into private schools. It is not going to change the system. And many of the kids who are in the public schools will not have an opportunity to go and use a voucher system. What happens to many of

those other kids in that area? Have we really fixed it?

I have heard us say, well, our schools are failing, the system is failing. Well, it is our responsibility to fix it. It is our responsibility to train teachers. It is our responsibility to motivate the students. It is our responsibility to make sure that no child is left behind.

Let me state that it is a shame when we go to school and a lot of our children are not learning. There are many of our children that are learning and those who are not. It is our ability and our responsibility to make sure that those students have an opportunity to progress. They want to do the same things that everybody else wants. Let me state that if we take those funds away from public schools, what is going to happen? We take those $10 million and we have kids to which we say we want to prepare them for the 21st century, and they are not prepared because they do not have the tools or instruments because we have taken funding away. This is wrong. This is wrong for the District of Columbia. This is wrong, and it will probably happen to other portions of the States.

Is this what we want? No.

We want to invest in public education. We have good teachers who are out there. We need to give them the funding. We need to give them the tools. We need to give them the motivation. We need to give them the support. They need to know that we stand behind them, that we want to fix the schools, that we just do not want to take the easy answer. Like our parents always said, if you have a difficult time, it is time to get involved and do something about it. Do something that is going to help the schools, not run away. This is just running away from the problem, it is not fixing our school systems.

What happens? As our President said, I want to make sure that we leave no child behind. We are going to leave more children behind because what happens to the student if a student is expelled? Do you think that student is going to be accepted at a private school under the voucher system? Do you think that parents can then take that child and put him into a private school under the voucher system? No. They are only going to take the top of the crop. And what happens to this school system? We still have the responsibility to fund it. We still have the responsibility to make sure the infrastructure is there. Who pays for that? We as taxpayers pay for that, and we are taking money and resources from our schools.

Let me state that this is bad legislation. It is terrible legislation. It should not even be up before us right now. We should be making sure that we spend more money on education, therefore, we should eliminate the funding.

Mr. SCHROCK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as a member of the House Committee on Government Reform chaired by my good friend and colleague, the gentleman from Virginia (Mr. TOM DAVIS), I was privileged to hear the debate in its entirety on the subject we address here today, and that is help for the children in the failing District of Columbia public school system.

I do not think anyone in this Chamber, in any capital city, can honestly say that the district schools are good. They cannot because they are not. It is not a question of whether or not the D.C. school system is failing. It already has and everybody knows it. If we are going to ensure the education of the children in this city, we need to provide funding to give at least 2,000 children a way out and an option and a chance to attend a school where they can achieve. That is the very least this body can do for them.

I was in that committee room that day and watched the anguish on the faces of the mothers and grandmothers who were present, and I watched them crying during and after the hearing. They made me more determined than ever to help provide them and their children a way out of this failing school system. One of the young fellows who was there, a 6-year-old named Alonzo Stallans, drew a picture during the hearing that he gave to me a couple of days later. It says, ''A good education, a good future,'' in only the way that a 6-year-old can do it.

He gets it, but not everybody in this Chamber does.

I have had visits from those mothers and grandmothers of these young folks, the most recent yesterday, and they have high hopes that we will do the right thing and pass the legislation for these great young kids. If we do, and we must, we will be giving them a chance at life that most of us were given when we were their age.

What we do here today will change the lives of these young people forever in a very positive way. I hear my colleagues talk about money and fully funding the education system. Let us talk about that for a minute.

If money were any indication of the success of a school system, the boys and girls in Washington, D.C. would be receiving the finest education in America with test scores higher than any students in America. But that is not happening. In fact, the opposite is true. More money is being spent in D.C. per student than anywhere in America and the test results are the worst.

That is an absolute travesty.

These kids need and deserve a way out of this school system. The legislation we pass here today will do just that.

Frankly, I think parents and grandparents know what is best for their children, not the bureaucrats who roam the halls on Capitol Hill.

My wife and I knew what was best for our son and, frankly, he has done great in life.

Parents and grandparents know what is best for their kids. They want out of a school system that has failed them and their kids. Today we are going to fix that. And, frankly, the sooner the better.

We have heard special praise for three people today. I want to do that again. They are D.C. Mayor Anthony Williams, D.C. Council Education Committee Chairman Kevin P. Chavous, and D.C. Board of Education President Peggy Cooper Cafritz for stepping up to the plate and leading the charge for this legislation. That is true leadership. And true leadership on this floor today means that we pass this legislation.

Mr. Chairman, I urge all of my colleagues on both sides of the aisle to give the D.C. kids a good chance at a successful life by voting for this very worthwhile piece of legislation.

Mr. CUMMINGS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in strong support of the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) and to oppose the ill-conceived Davis amendment to add vouchers to the District of Columbia appropriations bill.

Mr. Chairman, not only have the citizens and many leaders of Washington opposed vouchers, but the House has also made certain that our own districts would not have mandated vouchers imposed in its public schools.

I find that very interesting, Mr. Chairman, considering what the last speaker just said. Basically the implication was that there should be local control. It is clear here that we are trying to impose our will on the District of Columbia when we cannot even do it.

We do not accept vouchers in our own districts. Why should we do it here? I think we have to be very candid and honest with ourselves to begin to ask the question, why are we doing this?

In fact, we rejected voucher proposals in the No Child Left Behind legislation in the IDEA bill. The RECORD of this House reflects that voucher amendments have been soundly defeated for years by this House. So I find it interesting that some in the House want to impose a voucher program for D.C., but clearly it is not something that they want for their own districts.

You have heard many Members on the other side of the aisle say that vouchers will help low-income children in Washington, D.C. They may believe the hype that accompanies the debate on vouchers for our Nation's disadvantaged children. But this is what we do know about vouchers: Vouchers drain money away from public schools and leave the remaining children with even less resources, schools like the ones in my district where in one school there were 13 computers for 1,300 children. Where children, just a year or so ago, were reading out of books where Jimmy Carter was still the President. These were honor students. And situations where children can go through

high school without ever looking through the lens of a microscope.

Another thing that we know about vouchers is that vouchers do not improve student achievement. I wish they did, but they do not. And let us not be fooled by that. Vouchers offer false promises of choice because private schools have the ultimate decision on which students they enroll.

Of its 42 public charter schools and 15 public transformation schools, Washington, D.C. has the most wide-ranging set of alternatives to traditional public schools in this entire country. Public school choice is the real choice and the only choice program we should support in this House.

Mr. Chairman, I know that every Member of the House wants to provide the best education possible for our children. I believe that investing adequate funds in public schools with access to technology, up-to-date textbooks, and highly-qualified teachers is the correct choice.

The District of Columbia should not be used as an experiment for public school reform.

I urge my colleagues to support the Norton amendment and vote against the Davis amendment. An experimental voucher program in Washington, D.C. will leave too many children behind and harm the city's public schools.

□ 1130

Mr. JACKSON of Illinois. Mr. Chairman, I move to strike the requisite number of words.

(Mr. JACKSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. JACKSON of Illinois. Mr. Chairman, I rise in strong support of the gentlewoman's amendment. With 42 public charter schools and 15 public transformation schools, the 70,000 children of the District of Columbia have school choice, with the most extensive set of alternatives to traditional public schools in the country. For this reason the gentlewoman from the District of Columbia (Ms. NORTON) simply believes that any additional public funds should be used to enhance and expand these publicly accountable schools.

The central question before us is whether or not we believe, as a Congress, that every child should have access to an equal high-quality education. Who among us does not believe in this? I have introduced House Joint Resolution 29, a constitutional amendment that crystallizes this premise and that ensures that every child in the United States has access to an equal high-quality education, an idea I think and hope all of us will support.

If we believe that every child in America deserves a high-quality public education, then why are we here today considering that only 2,000 of 70,000 children in the District of Columbia public school system should have an equal high-quality education? If we believe that every child should have access to high-quality education, we should support the gentlewoman's amendment. The District of Columbia has serious problems that need real solutions.

Article I, section 8, clause 17 of the Constitution gives Congress responsibility over the District of Columbia. They do not have a State legislature or a governor to which to redress their grievances. That responsibility includes all of the children of the District of Columbia public school system, not just the 2,000 children that the voucher program in this bill addresses.

Article I, section 8, clause 1 of the Constitution gives Congress the power to provide for the common defense. Yesterday, we found out that the common defense includes $60 billion for another appropriations supplemental bill which includes building schools in Iraq. If we can find the resources to rebuild schools in Iraq, I know we can find the resources to rebuild the schools for all of the children of the District of Columbia and their public school system.

It is clear, Mr. Chairman, that if the proponents of this $10 million set aside for vouchers truly think they will improve the education system in D.C., they would probably also try to fix a broken arm with a Band-Aid. In January 2002, President Bush signed a bill that was supposed to ensure that no child was left behind. If this $10 million is included in this bill, we are ensuring that 68,000 D.C. kids are left behind.

At a time when the No Child Left Behind Act is underfunded by close to $9 billion nationwide and is underfunded by $50 million in the District, does it make sense to try to make up this shortfall with only $10 million that will subsidize private schools and not fix some of the core problems plaguing D.C. public schools?

In conclusion, Mr. Chairman, I urge and support the gentlewoman's amendment. If the gentlewoman's amendment fails, I urge my colleagues to vote against the passage of the D.C. Appropriations bill. If this Congress genuinely believes that every child deserves the right to a public education of equal high quality, then we should fight for it as a fundamental right for every American. A separate and unequal education system in the District of Columbia and between the States is indeed unacceptable for every American.

Mr. FLAKE. Mr. Chairman, I move to strike the requisite number of words.

I am pleased to be here for this debate, and I was pleased to hear the gentleman from Illinois recognize the primacy of our involvement here, that the Constitution does grant the U.S. Congress authority to move on matters such as this for the District of Columbia.

I have found it interesting to listen to the debate and to listen about this amendment in particular. This amendment is based on the premise that no one in the District of Columbia wants to have a voucher to travel to anything other than a public school, and we have heard that argument again and again and again from the other side, nobody wants this program.

On this side, polls are quoted. There were 57 percent, 60 percent, 75 percent, various numbers of people who want to see this program move ahead. I say the only way to settle it is to offer them, and if it is true as the gentlewoman who offered this amendment proposes, that nobody wants these vouchers, then nobody will accept them, nobody will take them. An affirmative action has to be taken for a voucher to be used. They are imposed on no one. They simply have to be used by a parent. So if it is the case that nobody wants them, that the parents of the District of Columbia do not want to have vouchers, this appropriation of funds will have no effect because the money simply will not be spent. But if it is, as is the case as we maintain, that there are parents who do want them, then they will be used. So it is up to the parents.

I found it strange in the hearings leading up to this on the bill that I offered, and then later on the bill that we had before us, both times those on the other side of the aisle stood and said parents in D.C. do not want vouchers, and each time the parents lined up at the back of the room said otherwise. Parents, lined up outside in the hall, said otherwise. I say if my colleagues really believe in choice, that parents ought to have that choice, then let us put this to the test, allow this to go forward. If it is the case that parents do not want them, they simply will not be used; but if they do want them, they will. So it is up to the parents in the District of Columbia.

I applaud those who have helped put this bill together and to put it on the floor today.

Mr. ETHERIDGE. Mr. Chairman, I move to strike the requisite number of words. Mr. Chairman, I will not take the full 5 minutes.

I do rise in support of the gentlewoman from D.C.'s amendment and in opposition to what I perceive to be the latest Republican attack on our public schools.

We hear about all the money spent, but let me remind my colleagues that across this country, roughly, only 7 percent or less are Federal funds, and yet we see now we want to control 100 percent of what goes on in our schools. For people who believe in local control, I feel here that somebody is missing the boat or misrepresenting the facts.

Vouchers are a bad idea. They always have been because they drain resources away from the public schools in this country where 90-plus percent of our children, depending on the States, go to school. They are educated there. And my colleagues do that in favor of private schools, where there is no accountability for the taxpayers' money at a time when we are running huge deficits, the largest in the history of this country, and yet we do not want to fund the public schools.

We are eating our seed corn and ruining our future. Rather than siphoning funds from the public schools, we ought to be investing more initiatives in things like school construction. My colleagues have talked about it. I will not go into detail. Teacher training, if we really want to improve the quality of instruction in the classroom, put the resources out to improve teacher training. Reduce class sizes, provide tutorial help for those children who are behind. Those are proven methods that raise academic achievement.

I can tell my colleagues it has happened. It happened in North Carolina where I was State Superintendent, and it is still happening. It will not happen if we take the funds away and continue to erode public support.

Under the No Child Left Behind, our public schools are forced to do more than they have ever been required to do before, and this administration and this Congress refuses to fund No Child Left Behind because what has that done? That has created a massive, unfunded mandate on our States and our local school units at the very time when they are struggling to make budgets balance. The last thing we should be doing is use this Republican voucher scheme to take public dollars that should be going to strengthen our public schools and putting them in private tuition grants.

I urge my colleagues to support this amendment. And if this amendment does not win, then we should defeat this bill because this will prove, over the long run, to be detrimental to public education in the United States of America.

Ms. HART. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment and in support of the $10 million that is being appropriated to the D.C. public schools.

The reason that this money is being given to the system is so that we can improve the system. School choice has been shown to improve an opportunity for a child. Each child who has been suffering through the terrible school system of Washington, D.C., is really imprisoned in that District. This money will give these children an opportunity to learn, and I believe that is what schools are for.

Unfortunately, the D.C. public schools have been in crisis, and it is unfair to force children who live in D.C. to be subjected to a terrible education or a lack of an education. Statistics show that a very high percentage of students drop out. They also show that the D.C. schools are ranked lower than every other State in reading or every State in reading and math scores. Students score on the average of 220 points below the national average on the SATs. Seventy-six percent of D.C.'s fourth graders perform below grade level in math and only 10 percent read proficiently by the fourth grade. These problems persist, despite spending more than nearly every school District in the Nation, at least $11,000 per pupil.

It was stated earlier that we were promoting parochial self-interest if we promote school choice in D.C. If parochial self-interest is parents wanting their children to get a real education, then I am all for that, and this is what this will do. It will allow these parents to find a better way to educate their children. If their child is currently in the D.C. schools, their opportunities are really not limitless the way they should be. School choice offers them more opportunity. It will also offer the children who stay in the public schools more opportunity, and it really is dismaying to me that the opponents of school choice do not see this.

Problems in many inner city school districts, such as D.C., are caused largely because of overcrowding too many children in a classroom. For example, school choice will take a number of children out of the public school system. This is true. They will go to schools that are now empty or at least in need of more students. That will allow smaller classes in the D.C. schools. It will encourage the D.C. schools to improve, in fact give them more opportunity to do so, with fewer students and the same amount of money.

So it will relieve overcrowding in the D.C. public schools. It will help the children because the children will have an opportunity to go to a school where they will learn, where they will feel safe in many cases where they may not now.

It is unfair for us, and I think completely irresponsible for us, to waste the learning year of the children who happen to be in these schools now and say, well, we are going to fix the public schools, but if it takes 6 to 12 years to fix them, what happens to those children who are still in the public schools? Nothing good. We need to give them an opportunity to learn now, elsewhere if that is where they need to go, in a place that is more suitable for their education, while we work on and fix the D.C. public schools.

I support this appropriation. I support school choice for D.C., and I hope that we will oppose this amendment.

Mr. CLAY. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of the Norton amendment, and I strongly oppose private school vouchers. No matter the location, the type of program or the amount, vouchers are a bad idea for our children. The Committee on Government Reform approved this amendment by a one-vote, razor-thin margin. Both Republicans and Democrats voted against the D.C. voucher, and I thank my colleagues for their opposition to D.C. vouchers.

Serious concerns were raised about this amendment during committee consideration. I share those concerns and believe it is important that this information be shared with the public.

We know that vouchers drain millions from public education. Any extra money should be invested into D.C. public schools and other public schools nationwide that deserve the majority of our children. Investing in public schools helps us hire more highly-qualified teachers, purchase supplies and books, and repair our schools. Vouchers are not the solution.

Vouchers eliminate public oversight for taxpayer dollars. Unfortunately, as illustrated in Milwaukee, Cleveland, and Florida's voucher programs, vouchers eliminate public oversight, public accountability and have led to cases of fraud and fiscal mismanagement.

Vouchers contradict the accountability reform required by the No Child Left Behind, such as the hiring of highly-qualified teachers and the annual testing and public reporting on student performance. These standards are not required by private schools that accept federally funded vouchers, creating a double standard regarding Federal funding and education.

I would be glad to hear from proponents of vouchers to tell us why we should not have accountability when public dollars follow these children to private institutions. I would love to hear from the other side to tell us why we should not have better accountability.

I offered an amendment in the Committee on Government Reform in good faith, asking that the same standards that apply to all of our public schools also apply to these vouchers. I would love to hear their response.

□ 1145

I urge my colleagues to respect the right of D.C. residents to make decisions of their own in their city. The majority of D.C. elected officials and residents oppose vouchers. The official position of the D.C. school board and city council is to oppose vouchers. If the residents of the District of Columbia wanted vouchers in D.C., their local governance, the school board or city council could create such a program.

Some in this body have suggested that D.C. residents need our permission or Federal money to create a voucher program. That simply is not true. D.C. residents do not need the permission of this Congress. Nor do they need the Federal purse to create a program. D.C. residents just do not want vouchers.

Mr. FLAKE. Mr. Chairman, will the gentleman yield?

Mr. CLAY. I yield to the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, the gentleman mentioned how we feel about accountability. The ultimate accountability is portability, the ability to move to a different school if you do not like the school you are attending now. That is the ultimate accountability and that is what this provides.

Mr. CLAY. Reclaiming my time, Mr. Chairman, I might respond that we also need accountability of public dollars. When those dollars follow those children to those private institutions, we should also hold them accountable

and have benchmarks. Show us where test scores have improved, show us where reading levels have gone up, show us where dropout rates have been lower. That is the kind of accountability I am suggesting.

Mr. FLAKE. Mr. Chairman, if the gentleman will continue to yield, I would advise him that in reading the bill he will see that there are extensive reporting requirements in the bill.

Mr. CLAY. No, there are not. No, there are not. Now, we discussed this when Secretary Paige came to the committee, and he suggested that we do strengthen the language in the bill to have real accountability.

Mr. FLAKE. Mr. Chairman, I would submit that this is real accountability. Portability is the best accountability.

Mrs. MUSGRAVE. Mr. Chairman, I move to strike the requisite number of words, and I rise to oppose this amendment.

I have a great deal of interest in education. I have been married to a public school teacher. He taught for 24 years. When I was a graduate of college, I taught public school for a time before I started raising our four children. When I first started being interested in public policy, I ran for our local board of education, and I served there for 4 years before I went into the State legislature in Colorado. One of my committee assignments that I requested right away was the education committee because I feel very strongly that a good education is one of the best tools that we can give a child in order that they might have a successful life.

I have faced the challenges that public school teachers face. I am very appreciative of the job that they do. I am, most of all, however, very respectful of parents. You birth a child, you nurse a child, you get up with them in the middle of the night when they are sick, you try to instruct them on what they should eat, you try to instruct them on how they should behave, you instruct them in the moral arena; but somehow or another when it then comes to education, some people think that parents do not have the ability to make a good choice for their child. Well, of course they have the ability. But most of all they love that child, and they have a very strong desire for that child to be successful.

So who are we, who is anybody to tell parents that they cannot make a choice for their child? And as parents, one of the things that we want to do is we want to have hope for our child's success. We all know our children have different learning styles. Even within a family, children are very different; and parents make various choices for the different children. And I think that we should trust parents to know what is best for their child. I think that we need to empower parents to make an educational choice for their children.

Again, a quality education is one of the best things that we can give a student. It empowers them to make choices in their life. It empowers them to have a realization of success. I think that when parents are seeing their children fail in a school that it is very important that we empower them to make a selection for their child that will give them hope, that will empower them.

When I was on the school board, when I was a teacher, when I was involved in my children's education, one of the things that the educational community continually asked for was parental involvement. Everybody knows that one of the best predictors of a child's success in education is the involvement of their parents. Let us let these parents in D.C. be involved in their children's education.

Mr. BELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in support of the amendment, hopeful that we will pass the Norton amendment and not engage in what I think most charitably can be described as a giant cop-out. It saddens me that we have reached a point in this Nation's history when so many people simply want to throw up their hands and suggest that the only way that we can solve the problems facing public school education in the United States is to send more and more children to private schools, forgetting that what has separated the United States of America from other countries throughout the world is the fact that our forefathers made a commitment to public school education, deciding that children, regardless of financial status, would have free access to a quality public school education.

I serve on the Committee on Government Reform. I listened to the debate there, and I am listening to the debate here. It is very similar, where once again the proponents of this voucher measure suggest that the only way to give parents in Washington, D.C. choice is through private school vouchers. Mr. Chairman, that is simply false. And if my colleagues do not believe me, all they have to do is look at the D.C. public school Web site, where it talks about the out-of-boundary policy, the out-of-boundary application process, discretionary transfer, is for parents or guardians who wish to apply for permission to enroll their children in D.C. PS schools other than their neighborhood school.

The Washington Post, May 20, 2003: ''Throughout the Washington area there are multiple options for parents seeking alternatives to traditional neighborhood schools.'' The Federal No Child Left Behind law stipulates that if a neighborhood school underperforms for 2 consecutive years, parents may transfer their child to another school. D.C. is doing it the way it should be done, by offering parents a choice through the public school system.

I can say that that is the way it is to be done because I come from a city, the city of Houston, that improved its public school system by using public school choice and other measures, a city where in the 1980s many wanted to throw up their hands and say you cannot afford to send your child to the Houston Independent School District; you have to send your child to a private school so that they can get an adequate education. But some community leaders, thankfully, were not willing to accept that argument. They were not willing to simply cop out and throw up their hands. They decided we had to do something about our public education system, so they did implement programs like public school choice and charter schools and called for more local control.

So much improvement has been seen in the Houston Independent School District, so much improvement that a Republican President, George Bush, decided that the superintendent who had overseen most of that improvement, Rod Paige, should serve as the Secretary of Education in his administration. And private school vouchers had absolutely no role in the improvement of Houston public schools.

Then we hear the argument that moving money out of the D.C. public schools and into a private school voucher program will have no real impact; that money does not really play a role in the performance of public schools. How ludicrous is that? Schools, teachers, books. Everybody realizes they all cost money, a lot of money. And there are no private schools that I am aware of who are asking for less money. They are constantly asking the parents of their children for money, and they are constantly calling on private foundations for more donations.

So let us not pretend this voucher bill is not going to have a profound financial impact on D.C. public schools, and let us also not pretend, let us also not pretend that this voucher measure is just about D.C. schools. Because I have listened to that argument as well; that this is a D.C. problem and let D.C. try this because it will not impact anyone else. If I truly believed that, perhaps I would not feel so passionately about this measure, but I do not.

I do think this will start us on a slippery slope. And I hate that argument because it is used and abused here. And there is no one in this Chamber who cannot look at a mole hill and see a mountain instead and suggest that with every issue we are starting down a slippery slope. But in this particular case I do believe that is what we are looking at. I think the proponents of vouchers in this Nation, seeing that they had failed in passing vouchers in any sort of broad-ranged manner, want to do it on an incremental basis starting with D.C., and trying to gather some favorable statistics, like you can always do, and then spreading it from State to State, city to city, until finally we have more and more children enrolled in private schools.

Mr. Chairman, that brings me back to where I started, a cop-out, a giant cop-out, the wrong road to go down, a path that I hope we will not start on here today.

Mr. HOEKSTRA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we stand here today with the opportunity to join Mayor Williams, the President of the D.C. School Board, the chairman of the city council's education committee, and numerous parents who are all excited about the opportunity for Congress to provide $10 million in an innovative pilot program for education in D.C.

Educational equality for all of our children regardless of their family's income is a fundamental principle of the American education system. However, too many low-income families find themselves in a position where they are unable to send their children to the school of their choice simply because they are poor. Families living in poor neighborhoods are unable to make the education choices that many of us can afford to make for our own children when we buy a house in a suburb with high-performing public schools or send our own children to private schools.

The D.C. choice pilot program offers hope and empowers parents and students in the District of Columbia by giving them the opportunity to select a school that meets their educational needs while the competition school choice brings will improve the overall educational atmosphere for the parents, teachers, and administrators who continue to work to improve the public school system within the District. This debate today should be about doing everything we can to better educate all of our children.

In 1996 and 1997, the Subcommittee on Oversight and Investigations of the Committee on Education and the Workforce embarked on a project called Education at a Crossroads. We went around the country. We talked to parents, we talked to teachers, and we talked to administrators.

Now, people say that we have to focus on improving public education, and we are doing that; and we are investing significant dollars both at the Federal level and at the State level to make that happen. But I still remember the father who came to me in New York City and said, they are just embarking on another 5-year plan. He had a 7- or 8-year-old son with him. He said, you know, a few years ago they embarked on a 5-year plan, and I had hoped that my son would be going to a better school. The schools are now as bad if not worse than what they were 5 years ago. And now they are embarking on another 5-year plan, where we are not guaranteed or we do not really know what this 5-year plan will bring, but I do know what it will mean for my son. If it is no better at the end of this next 5-year plan than it was at the end of first 5-year plan, the product that we will lose is my son. My son will have been in schools that did not help him learn what he needed to learn to compete. Please give me the opportunity to send my son to a high-performing school.

In D.C. last summer we had the opportunity to meet with the parents of the D.C. scholarship program who are enthused and excited about the opportunities that they had had to make decisions for their children, to get them in a school that enabled their children to get the education that they needed, and they saw dramatic progress. I laugh about the accountability, saying we have to put in the accountability standards so that these schools will be accountable to an education department down on Independence Avenue. All we have to do is look into the face of the parents in New York City, in Cleveland, in Detroit, or in Washington, D.C. and you can see that the accountability that we need is not to a bureaucrat in Washington, not to a bureaucrat in one of our State capitals. The accountability that we need is of a school district to a parent. A parent sees and knows what is happening with their child each and every day.

This is about giving D.C. the chance to experiment with this change so that low-income children in our Nation's capital can get a better education now, which we all know is a critical predicate for their future success in life. It is exactly what the parents in the park told us last summer.

□ 1200

This debate has been sidetracked by political ideology, and in the process we are further condemning the students in the District of Columbia to an education system that has left a majority of its students nonproficient in reading and math. It has left these students behind.

I urge Members to support the D.C. appropriations bill and to oppose the Norton amendment on this legislation. Many parents in D.C. cannot afford any other choices for their children, and we have the opportunity today to make $10 million available, and allow 7,500 families who are on the waiting list for this possibility to truly choose what will work for their children.

Mr. DAVIS of Alabama. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Norton amendment. There has been a lot of conversation today about whether this $10 million somehow takes money away from the public school system. There has been a lot of discussion about whether making an investment in vouchers drains resources away. I think that is the wrong focus, with all due respect to some of my colleagues on the other side of the aisle, because regardless of whether we are taking money away from one pot and putting it into another, let us make no mistake about something that we are doing: We are taking and subtracting credibility from the public school system.

If we have a vouchers game anyplace in this country, we are implicitly saying to that community that the public school system is not good enough. What is the consequence of saying that? I happen to have come primarily from the public school system in Birmingham and Montgomery, Alabama. There are some of us who remember a time in this country when the public school system had a very unique role. It was, number one, the one instrument that we had that brought people together from different classes and different walks of life. You could have someone who was the son of a CEO at a bank sitting next to someone who came from the wrong side of the railroad tracks. The public school was once a civic institution in this country.

For a variety of reasons that are beyond the scope of this debate, that kind of civic pride in our schools has been drained away. For a variety of reasons, we have lost confidence in the public school system in this country; but the challenge is what do we do about it.

The proponents of vouchers tell us we can simply give people a chance to opt out. The proponents of vouchers say we can simply allow people to walk away from the system and that we can treat our public schools like a failed Wal-Mart or a failed BP or a failed Shell gas station; if it closes down, people can go someplace else.

Mr. Chairman, I would submit we are a stronger and a better country if we continue and we sustain our exclusive public investment in a public education system. I do not think that we can drain away a commitment from the vast public purpose of education in this country without having an enormous consequence to where we stand as a Nation.

It is true that we are 13th in the industrialized world in math and science scores. We rank number 15 in civic scores. The problem is that we are not making the kind of investment, either in terms of resources or in terms of community commitment, in our public schools that they deserve. Make no mistake about it, if we endorse this back door, if we open up this back door to vouchers, we are degrading and we are cheapening our public schools.

I have heard a lot of attacks from the other side of the aisle about how bad the public school system is in D.C., and I would venture that a lot of the speakers, if they were asked the systems in their cities, would probably come forward and launch the same kind of attacks. The families of this country are listening. The people who are struggling to teach in our schools may be busy right now, but they hear about these kinds of debates. And we ought to understand something: Teaching is an enormously honorable profession. Public education is an enormously honorable civic endeavor. But you do not walk away from civic endeavors, you do not create a private back channel to civic endeavors.

I urge my colleagues to support the Norton amendment because it is a very important symbol. I agree with the gentleman from Texas (Mr. BELL) that

this is an effort, it is the beginning of a slow effort to introduce vouchers into the public mainstream. It will be D.C. today. Next year, it will be a request that we have 5 target cities around the country, and then it will be a request that we have 10 target States around the country. This is very much where the administration wants to go.

The problem is that I am not prepared to abandon our public school system until we have made a stronger and better commitment. As one of the speakers on this side said earlier, only 7 percent of the money that goes into education comes from this budget and this appropriations process. We cannot let this system go anywhere in our country until we have done more and made a stronger and better commitment.

Mr. Chairman, I ask my colleagues to oppose vouchers for D.C. and to keep the credibility of the D.C. school system intact and to keep the civic institution intact.

Mr. WOLF. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the Norton amendment and in support of the bill. I want to begin by thanking the gentleman from New Jersey (Mr. FRELINGHUYSEN) and my colleague and friend, the gentleman from Virginia (Mr. TOM DAVIS), for really taking the initiative. He did not have to do this, and he is doing this. This is very, very important.

I have five children. I am a product of public schools. All of my kids have gone to public schools. I worked for probably only one of a few Members of Congress, Congressman Pete Biester, who had a child in the District of Columbia schools. There are no Members in this body that I know of that have any of their children in District of Columbia schools. Many are in private schools, many are not here, but they are not in the District of Columbia schools.

My daughter Virginia taught in the D.C. public school system. She worked for 4 years at the Community of Hope up at 14th and Belmont. She can tell Members what the conditions of the public schools are. I think as the gentleman from Virginia (Mr. TOM DAVIS) said, if D.C. needs more money, offer the amendment and we will support it. But for these 1,000 children, that is their opportunity to get out. Everyone knows, Members know if you had not had that opportunity to have that education, you may not have gotten out. All of us on both sides of the aisle may have been in that condition. It is a way out.

I want to commend the gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentleman from Virginia (Mr. TOM DAVIS), but particularly Mayor Williams for his leadership. I went to John Bartram High School, and the gentleman from Pennsylvania (Mr. FATTAH) knows where that is, on 67th and Elmwood Avenue. Education was my way out of there.

My dad was a policeman with a sixth-grade education. Education got me my way out. Why is it not good for those 1,000 families that are going to get their children out of there? Sometimes going into the schools, as the gentleman from Michigan (Mr. HOEKSTRA) discussed, and in talking to the parents, they tell us their kids may be beaten up and they may have problems. Let us help the schools. Offer the amendment and do what you can.

I want to commend also Senator FEINSTEIN and Senator BYRD. Senator BYRD is a statesman, and I commend him for his leadership. He understands. I also commend Mayor Williams because it is tough to break sometimes with your party. I know sometimes we get locked in over here and we do not want to leave, but he did. I commend Kevin Chavous for the leadership to break with the city council and do what he did. They have provided the leadership for 1,000 boys and girls.

If you are a father and you know your kids are not getting an education, if you are a mother and you know they are not getting an education, do not tell them, wait, we are going to improve the schools next year, we have a 5-year program, because if they are 7 and 8 and 9, we may lose them.

This is not to expand a program all over the country. The gentleman from Virginia (Mr. TOM DAVIS) has probably done more to help the District of Columbia, working with the gentlewoman from the District of Columbia (Ms. NORTON), than any other Member of the House. This is to help. This is to help 1,000 parents to have an opportunity to educate their children.

I strongly urge defeat of the Norton amendment, and I again thank the gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentleman from Virginia (Mr. TOM DAVIS) for their leadership, because in 1,000 homes this year and 1,000 homes next year, they will really make a difference, and help some of the kids to be educated. Come back next year and offer the amendments to beefup the District of Columbia schools. I give my commitment. I will support it; but let us today support this bill to help those 1,000 kids.

Mrs. DAVIS of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would ask my colleagues, where are these 1,000 slots in our private schools? I rise in support of school choice in the District of Columbia, but public school choice. The District of Columbia, as we know and as Members have spoken to, has been a national leader in supporting charter schools to provide alternative choices for its families.

In 1996, the D.C. Council passed the Public Charter Schools Act. That launched this decision as the best method to improve the public schools. Not only have they instituted a large number of charter schools for the District of Columbia enrollment, but they have also supervised these programs and they have closed those charter schools that have not been successful.

I support the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) to back this local decision. If the majority wants to appropriate additional funding for children in D.C., let the sum be appropriated to increase funding for the charter schools, to expand that program so that charter schools can have the resources needed to provide adequate and safe facilities as well as the programs of choice.

Mr. Chairman, I believe we must support D.C.'s children, but we can do that by continuing to support successful alternatives in the public school system.

Mrs. MILLER of Michigan. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have been struggling with this issue, and unlike so many other Members of this House who have had a position either for or against the voucher issue, in Michigan we actually had a statewide voucher proposal initiative on the ballot about 2½ years ago and it was defeated. I voted against the voucher initiative.

All of the arguments that are being advanced here today were part of our debate in Michigan. They were part of the debate in the Committee on Government Reform, on which I sit: Concerns about cherry-picking students where the private schools have their very high standards and the smart ones are picked, but the slower ones may be left behind. Concerns about religious schools where by taking tax dollars, suddenly the government begins to enforce certain requirements. And it is the old saw: Once you take the shekel, the shackle will follow.

I am a product of public education. I believe in public education. My grandmother was a schoolteacher in the public education system for almost 40 years, and I believe that public education has been the backbone of America. The educational opportunities may vary, but at least everyone has a chance at an education.

However, this proposal is quite different, quite different from what happened in the great State of Michigan. In our State we were talking about a Constitutional change, and it would have affected literally every school district, even those considered blue-ribbon schools. This proposal only deals with the D.C. schools, which by any definition are almost the worst in the Nation.

Quite frankly, I cannot imagine how it can get any worse, and I cannot turn my back when so many parents are literally on their knees begging for a chance for their children. I feel the D.C. case is an exception. First of all, the schools are not forced to participate. Secondly, we are assured by this legislation that we will be closely tracking the progress of this program to benchmark progress and to ensure scrutiny and oversight.

Where our referendum in Michigan would have actually made the voucher

proposal permanent by changing our Constitution, this proposal in D.C. is temporary, and it must show marked improvement in order to be reauthorized after 5 years. The elected leadership wants it. The mayor has spoken out. I think if we are truly compassionate, we must support this proposal and give these children a chance.

Some are saying that we are voting for choice, and I say we are voting for chance. Give these children a chance.

□ 1215

Ms. KILPATRICK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I too am from the State of Michigan and, yes, our State did turn down the voucher proposal as did this United States Congress and other States around the country. Over 90 percent of America's children go to public education. If this Congress really wanted to fix public education, we could do that. I support the Norton amendment because it is about home rule, about the people of each jurisdiction deciding as Michigan did, as this Congress did for the country, that they did not want vouchers.

I support all forms of education, but public money for public schools. That is what our Constitution says and that is what most State Constitutions say, as well as our country. If we really wanted to help the D.C. public schools, let us help all 70,000 students. How do you pick 2,000 out and say, okay, we're going to do it for you but not for you 68,000. If we, the United States Congress, are overseers for Washington, D.C., unfortunately, why not take all 70,000? How do you pick 2,000 of what some have described as one of the worst systems? I do not know about that, either, if it is the worst system. What is worse and what is bad is that this Congress, this United States Government, does not fund public education adequately where 90 percent of America's children attend.

Education is the difference between success and failure in a person's life. The budget is $2.2 trillion; $800 billion of it is discretionary. If we had the commitment for these 2,000 children, just think what we could do with the 70,000 with that $750 billion discretionary budget that we have. Do not fool ourselves. There is only one pot of money. When you take money from this end, as we are doing for the 68,000, it does not make it better. It destabilizes public education.

I am a teacher. I am a parent. I have been in institutions of higher learning. I know when children, and you all know them, are bright, wide-eyed and bushy-tailed at 3, 5 and ready to go, they can be taught. All children can be taught. Someone said earlier, some kids are not teachable. I do not believe that. I think God created all of us equal and that all children can be taught in adequate schools that have trained teachers and the technology of today. And the commitment from not just the city, not just the State but, yes, this United States Congress should do what is right.

I want to congratulate the gentlewoman from this District. She fights very hard and in very difficult circumstances as this United States Congress does not allow her to represent her people who have spoken, irrespective of what the Mayor does, and I respect his opinion, but many people in the D.C. District and its city council and its school board have spoke loudly, they do not want vouchers. If you are going to save this District, they say save all 70,000 of us and help us in that vein.

In Michigan, we voted down vouchers. Other jurisdictions voted down vouchers. Public money for public schools. Let us teach our children. Give them the opportunity they need to succeed in this world. They do not need to be 2,000 against the 68,000. In D.C. if you are going to have a United States Congress, let us do it for all 70,000. How do you pick 2,000 out of that? I think it is despicable. I think the people of D.C. have spoken. What we must do as a United States Congress is reinforce our children and provide for them the best education that they can have wherever they go to school. In Taiwan, they spend 70 percent of their Federal budget on education. In the United States we spend less than 2 percent of our Federal dollars on education. There is something wrong with this equation. It is not the D.C. community, it is not the District that is bad, it is not that the children are not performing. It is that this country has not made the commitment yet to God's children in this country to give them the very best that we can offer.

I commend the gentlewoman from the District of Columbia. I hope this Congress will support her.

Ms. WATSON. Mr. Chairman, I move to strike the requisite number of words.

I rise in the strongest support of the Norton amendment. I have listened very closely for the last hour and a half and I have heard very few people who are in opposition to this amendment support public schools. I heard them admit to the disaster that public schools are here in Washington, D.C. We invaded Iraq and it is costing us a billion dollars a week. The White House is going to come here and ask for multibillions of dollars in just a few days. Why does this coalition that is in so much support of the vouchers here, that will only address 2,000 students out of 70,000, not ask that we put money into what you consider a broken school district? We are going to go and build up the school system in Iraq, the health care system, the infrastructure, and you will not do that for the Washington, D.C. schools, where the seat of government operates? I am appalled. And you want to cut and run.

We already know that the D.C. schools are suffering from a $40 million budget cut and a $100 million shortfall. Why do you not argue and support more money to fix all the schools, because we indeed will leave all of our children behind. Two thousand students going into private education is ludicrous. If you really believe that education is the way and you have that commitment, then argue for additional dollars for the D.C. school district. The Mayor is only one person. The city council has a letter on hand that says they do not support the D.C. voucher program. And why? Because it will siphon money away.

Do not treat us like we cannot add and subtract. If we take $10 million to put into the private sector, that is $10 million away from the public schools. I urge my colleagues to support the gentlewoman from the District of Columbia who has worked so hard, who is the heart and the soul of this district and cannot even vote. So we must vote for her. Let us save our schools. Let us save all of our children and not cherry-pick 2,000 children for private education and send those public dollars into the private sector.

I strongly urge my colleagues to support the Norton amendment and remove the funding for vouchers in D.C. that will only shortchange our teachers, our students, and our schools. Let us improve all of the system.

Mr. SHAYS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have been in public life 30 years. I used to strongly oppose vouchers because I believed the arguments that we have been hearing in opposition without really frankly thinking them through. And then I opposed vouchers because I did not want to lose the support of the Connecticut Education Association and the local education associations because they opposed the concept of allowing our young people to have choice. But it started to really bother me because I felt that my opposition was based more on politics than on sound educational judgment.

I really believe that it is important to give choice to parents. I really believe that you have a better public education system if you give choice to parents. I really believe that the argument that we would be taking away from the public schools does not add up. If you do not have students in a public school, you do not have the expense of having those students in a public school to have to provide an education for. And every voucher system I have seen and every choice system I have seen spends less on the student in a private setting or parochial setting than it spends if they were in the public school system. So the school systems in the public sector gain from it. They do not have to educate that student at a cost greater than the amount of money that is being given to the private or parochial school.

Another factor that impacts me is that I always hear politicians, of which I am one, and proud to be, talk about the need to make sure that we do not

have choice in public schools and a number of them send their kids to private schools. I have never quite understood this issue between rich and poor. My colleagues on the other side of the aisle sometimes say that we on the Republican side of the aisle want to focus on the wealthy and not those who do not have wealth. Yet we are giving those who do not have wealth an opportunity to do what rich folks do, but somehow then it is not allowed. I strongly oppose taking this money out. I strongly oppose the Norton amendment.

I strongly support what the gentleman from Virginia has done. I am very proud of what my chairman has done. He recognizes that in Washington, D.C. the government, the Federal Government, functions like a State functions. We have an obligation to improve the school system in Washington, D.C. We spend a fortune on schools in Washington, D.C. We give hundreds of millions of dollars to the Washington school system. We are not shortchanging the Washington school system as is implied by some. We are merely saying, why not try out $10 million extra dollars, and they are extra dollars, they would not be in the budget unless they were for this program only, and see its impact.

I have come to the conclusion that the opponents of choice, the supporters of the Norton amendment and the opponents of the Davis amendment, fear one thing. They fear that it is going to work. They fear that their arguments against this program simply will be found to be fallacious.

I have another sense. It is such a small amount relatively, why not give it a chance? Let us say I am wrong. Let us just say others of us are wrong. But the bottom line for me is I believe in accountability, I believe in choice, I believe in contrast, I believe in having different models in play to see how they work and what works. And I would like for the poor people, those with the least amount of resources in Washington, D.C., to have some of the same choices that some of the wealthy folks in Washington, D.C. have. Oppose the Norton amendment. I support strongly the Davis amendment. I thank him for offering it.

Mr. Chairman, I rise in strong opposition to Congresswoman NORTON's amendment.

We all know too many kids in our Nation's capital are not getting the education they need and deserve. Many students in the District lack basic language and math skills. Standardized test scores remain stagnant for D.C. public schools, and the average SAT score is more than 200 points below the national average. Additionally, the National Assessment of Educational Process just released a study which showed the District's school children were ranked as the worst readers in the country.

The D.C. Choice Program would provide scholarships of up to $7,500 to eligible students to cover the cost of tuition, fees, and transportation expenses. These scholarships are assistance to the students, and not the schools. And because all funding for the scholarship program comes from new funds, no public, private or charter school will be drained of its funding.

It is time to give parents of these children what every parent wants—the opportunity to give their child the best education possible.

I urge my colleagues to vote against this amendment.

Mr. Chairman, I rise in strong support of Chairman DAVIS' amendment to a School Choice program in D.C.

Too many kids in our Nation's capital are not getting the education they need and deserve. There is little doubt that D.C. public schools are in serious crisis, but it is not a crisis by a lack of resources. D.C. public schools spend more per pupil than surrounding school districts in Virginia and Maryland. Clearly, alternatives to increased funding should be tested. By promoting a competitive model, all schools will be forced to improve academically, provide better quality services, and create an administrative structure that operates efficiently.

I oppose directly spending federal tax dollars on private schools. But, just as I support providing Pell Grants to college students for use at the university of their choice—public or private, including religious schools—I also support school choice programs that provide parents with similar choices for their elementary and secondary school children.

Opponents of school choice argue such a proposal could drain public schools of money and students. I think they're dead wrong, but there's a simple way for us to see. Why not establish a handful of demonstration projects that will help determine whether school choice improves our education system? If the projects are unsuccessful, we will terminate them. But if the programs are successful, they can and should be expanded.

The D.C. Choice Program would provide scholarships of up to $7,500 to eligible students to cover the cost of tuition, fees, and transportation expenses, if any. The scholarship would be considered assistance to the students and not the schools. In order to ensure accountability, an evaluation would be conducted that would consider the impact and academic achievement attained by the program.

The goal of school choice in the District of Columbia is to be an addition, not a subtraction. We all want the District's education system to improve, and this amendment will provide what every parent wants—the opportunity to give their children the best education possible.

I urge my colleagues to support this amendment.

Mr. MENENDEZ. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of the Norton amendment, in opposition to vouchers as is evidenced also by support of the League of United Latin American Citizens, one of the largest national Hispanic organizations in the country in opposition to vouchers.

Mr. Chairman, here we go again. School districts across our Nation are burdened with large unfunded No Child Left Behind Act mandates at the very same time when school budgets are being cut because of the weakness of the national economy. And what is the Republican plan to solve this? Vouchers.

That is right; the Republican leadership is in effect using the District of Columbia as a testing ground for a policy that they dare not test on their own constituents.

And they're doing this against the will of the majority of the city's elected officials and residents, who argue that vouchers violate home rule and siphon much-needed funding from D.C.'s public schools.

Like most of our districts, D.C. is experiencing huge cuts in its public school budgets because of the weak economy. In fact, this year the District's schools are facing a $40 million cut. If Congress imposes vouchers on the city, an additional $25 million in federal and local per pupil funding will be lost. That is a heavy price to pay for unwanted and unnecessary vouchers.

Mr. Chairman, I would hope that all of us here can agree that all students in the District of Columbia's public schools deserve a quality education, but voucher plans most certainly do nothing to accomplish this. Instead, voucher plans constitute just one more drain on public funds—away from the public schools where they are really needed. Even Mayor Williams conditioned his support for vouchers on providing more money for public schools, which this bill does not.

Earlier this week, I sent to my colleagues a statement by the League of United Latin American Citizens (LULAC) opposing private school vouchers and highlighting their belief that more funding for public schools is needed. As Rick Dovalina, the National President of LULAC, stated, ''As it is, we don't believe current resources will be enough to meet the No Child Left Behind Act's goals.''

Instead, vouchers will send these much needed funds to schools that do not have to meet the accountability standards established by the heralded and greatly under-funded No Child Left Behind Act.

As some of you may know, D.C. officials and residents already have their own options to traditional public schools, including a large number of charter schools, transformation schools, and out-of-boundary school attendance.

Mr. Chairman, we would all insist that the decision of our districts concerning our own children and schools should be respected. The decisions of the majority of elected officials and residents in the District are entitled to the same respect. I urge all my colleagues to vote against the imposition of vouchers and in support of Congresswoman NORTON's amendment.

Mr. DAVIS of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Norton amendment and in strong opposition to the D.C. Davis voucher amendment for education. I am not against the Davis amendment because it only affects a small number of students. I am not against it because it is supposed to be experimental. I am not against it because it was introduced by my namesake and chairman of the Committee on Government Reform, a committee on which I serve, for he is indeed an honorable man and I respect and appreciate his leadership.

However, Mr. Chairman, my father used to tell us that fool me once, shame on you; fool me twice, shame on

me. And when I hear my colleagues and others talk about the great gift that this is to the poor children and the disadvantaged children of Washington, D.C., I am reminded of my mother who used to tell us to always look a gift horse in the mouth. And when I look at this voucher gift, I see a trick. I see subterfuge. I see us backdooring our way into further destabilization of public education. I see us undermining the principle that all children should have the right and the opportunity to get a good common school education. And since there is so much wrong with public education, since there is so much wrong with public schools, let us fix it and let us fix them.

Instead of trying to voucherize our way out of failing situations, why do we not fix the schools that we have got? Why do we not fix old, dilapidated and crumbling schools? Why do we not pay teachers an adequate and decent salary? Why not adequately prepare teachers so that they can really know how to teach? Why not put adequate materials in classrooms? Why not provide equal funding for all of our public schools so that every child will have an optimal opportunity to learn, to develop, to achieve, and to excel?

Yes, Mr. Chairman, fool me once, shame on you. Fool me twice, shame on me. I am afraid that this amendment will become part of a sinister plot to undermine public education. This is part of a message to those who want to isolate children and take us back to the dark days of segregation and unequal opportunity. This amendment is like manna to those who want to disorganize teachers and bust unions.

□ 1230

Yes, it is D.C. today. It is Chicago tomorrow; St. Louis, New Orleans, Los Angeles next week. Then it is all over America. And so Mr. Chairman, the message of this amendment goes far beyond Washington, D.C. and it is not good for America. I urge that we take into consideration the needs of all the children, and if we are serious about the children of Washington, D.C., then we should be serious about the children all over America and adequately fund public education so that every child has his and her opportunity to achieve.

Ms. LEE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today to oppose the voucher provisions that poison this D.C. Appropriations bill and to support the Norton amendment. If we pass this bill without the Norton amendment, we will be approving vouchers at the Federal level. We will be paving the way for the demise of our public education system, and we will be hampering our students' ability to succeed.

In short, we will undermine what is really one of the fundamental pillars of American democracy, a top-quality free public education that is a fundamental right for all American children. Privatizing public education is not the American way and you know it. It is wrong to be redistributing Federal money to private schools when public schools are facing teacher shortages, record-high student enrollments and dealing with subpar facilities and infrastructure. And yes, we must help rebuild schools in Iraq, but we must also invest in our own public schools in our own country.

This bill will also compromise the civil rights of our students. Even though vouchers would provide public money, private schools are not bound by civil rights provisions that govern our schools. Private schools can discriminate in admissions and employment on the basis of religion. Moreover, if we do give this money away, we lose the ability to account for the spending of that money. If voucher schools do not adopt academic standards, provide highly qualified teachers, or administer the assessments required of public schools, we have no recourse under this proposal.

Perhaps this explains why there has been so little success with voucher programs. Every serious study of voucher programs has found that vouchers do not improve student achievement. Objective studies funded by the Wisconsin and Ohio legislatures have found that voucher students perform no better than comparable students in other public schools.

The bottom line is that for every dollar we put into vouchers, we will be draining, draining, our public schools of the very life blood that makes it possible for us to have schools at the highest possible level, schools that educate all young Americans. And we will be putting lots of dollars, $10 million for the District, and that is just a start. If we ever went to a national voucher program, of course, which this sets the stage for, one estimate claims that it could cost about $73 billion. And that is just wrong. Instead of diverting money to private and religious schools, we must demonstrate a stronger commitment to safer schools, smaller classrooms, higher standards, technology and more accountability of all. That will benefit the public school system and it will not bankrupt it. We must put resources into our low-achieving schools so that they become high-performing schools. So I urge the Members to vote for the Norton amendment, and I thank her for her leadership. And I urge the Members to vote against the bill if it retains, however, the voucher provision which jeopardizes the future of public education.

This bill, with the voucher provision, really could be the beginning of the end of public education not only in the District of Columbia but in our entire country.

Again, I thank the gentlewoman from the District of Columbia (Ms. NORTON) for bringing this forward, and I urge support of her amendment.

Mrs. CHRISTENSEN. Mr. Chairman, I rise in support of the amendment offered by my colleague, the gentlewoman from the District of Columbia and in opposition to the imposition of vouchers on the people of the District of Columbia.

The facts are my colleagues, according to the National Coalition for Public Education, that vouchers are neither needed nor wanted in the District of Columbia. The majority of D.C. elected officials has written to Congress opposing vouchers. It is only that three officials abruptly changed their anti-voucher position without any public debate and now supports vouchers but they clearly don't speak for the majority of District citizens on the issue.

Vouchers as a means of improving public education in fact does the opposite. They send public funds to private schools while doing nothing to improve public schools, where the majority of DC students are enrolled. Additionally, programs to improve student achievement in the District have been implemented and are working and should be expanded. Meanwhile, the academic achievement of African American students who used privately funded vouchers to attend private schools in the District was no different than that of students who remained in public school, according to the GAO.

The amendment of the gentlelady from the District of Columbia would remove the $10 million in funding for D.C. vouchers that would be sought to be to authorized via a separate amendment. I urge my colleagues to support the gentlelady's amendment.

Mr. HINOJOSA. Mr. Chairman, I rise in strong support of the amendment offered by my colleague and friend from the District of Columbia, Mrs. ELEANOR HOLMES NORTON. We must strike the voucher provisions from the D.C. Appropriations bill.

This body has held a number of votes on vouchers on a national level. We have rejected them every time because we know that vouchers for private schools for a few children will not fulfill our responsibility to provide a quality education for all children. This bill will only allow 2 percent of the children in the District to take advantage of the program. The other 98 percent will remain in the public school system, which will not be held harmless in funding if enrollments drop.

In this bill we are not really even helping a few children. The money available per student is far short of the average cost of private school tuition in the District of Columbia. That means the families who can already afford to send their children to private school will do so, but low-income children will be forced to remain in inadequately funded public schools.

In addition, private schools have no obligation to accept special needs or minority students, nor are they required to follow the guidelines of the No Child Left Behind Act or the Individuals With Disabilities Act.

It is the height of arrogance that this body would seek to impose on the District of Columbia something that we have rejected for the rest of the nation.

I urge my colleagues to reject any attempt to privatize public education in the District of Columbia.

The CHAIRMAN. Does any other Member wish to be heard on this amendment?

If not, the question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. NORTON. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) will be postponed.

Mr. FATTAH. Mr. Chairman, I was going to offer an amendment, but I decided due to the lack of time not to offer it at this time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE II—DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided: *Provided,* That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.50a) and section 117 of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2004 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $6,326,138,000 (of which $3,832,734,000 shall be from local funds, $1,568,734,000 shall be from Federal grant funds, $910,904,000 shall be from other funds, and $13,766,000 shall be from private funds), in addition, $59,800,000 from funds previously appropriated in this Act as Federal payments: *Provided further,* That this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: *Provided further,* That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act as amended by this Act: *Provided further,* That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2004, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, $284,415,000 (including $206,825,000 from local funds, $57,440,000 from Federal grant funds, and $20,150,000 from other funds), in addition, $10,000,000 from funds previously appropriated in this Act under the heading ''Federal Payment to the Chief Financial Officer of the District of Columbia'': *Provided,* That not to exceed $2,500 for the Mayor, $2,500 for the Chairman of the Council of the District of Columbia, $2,500 for the City Administrator, and $2,500 for the Office of the Chief Financial Officer shall be available from this appropriation for official purposes: *Provided further,* That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: *Provided further,* That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: *Provided further,* That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally generated revenues: *Provided further,* That notwithstanding any other provision of law, or Mayor's Order 86–45, issued March 18, 1986, the Office of the Chief Technology Officer's delegated small purchase authority shall be $500,000: *Provided further,* That the District of Columbia government may not require the Office of the Chief Technology Officer to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed $500,000: *Provided further,* That not to exceed $25,000, to remain available until expended, of the funds in the District of Columbia Antitrust Fund established pursuant to section 820 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6–85; D.C. Official Code, sec. 2–308.20) is hereby made available for the use of the Office of the Corporation Counsel of the District of Columbia in accordance with the laws establishing this fund.

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, $276,647,000 (including $53,336,000 from local funds, $91,077,000 from Federal grant funds, $132,109,000 from other funds, and $125,000 from private funds), of which $15,000,000 collected by the District of Columbia in the form of BID tax revenue shall be paid to the respective BIDs pursuant to the Business Improvement Districts Act of 1996 (D.C. Law 11–134; D.C. Official Code, sec. 2–1215.01 et seq.), and the Business Improvement Districts Amendment Act of 1997 (D.C. Law 12–26; D.C. Official Code, sec. 2–1215.15 et seq.): *Provided,* That such funds are available for acquiring services provided by the General Services Administration: *Provided further,* That Business Improvement Districts shall be exempt from taxes levied by the District of Columbia.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, $745,958,000 (including $716,715,000 from local funds, $10,290,000 from Federal grant funds, $18,944,000 from other funds, and $9,000 from private funds), in addition, $1,300,000 from funds previously appropriated in this Act under the heading ''Federal Payment to the Criminal Justice Coordinating Council'': *Provided,* That not to exceed $500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: *Provided further,* That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: *Provided further,* That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved.

PUBLIC EDUCATION SYSTEM

(INCLUDING TRANSFERS OF FUNDS)

Public education system, including the development of national defense education programs, $1,157,841,000 (including $962,941,000 from local funds, $156,708,000 from Federal grant funds, $27,074,000 from other funds, $4,302,000 from private funds, and not to exceed $6,816,000, to remain available until expended, from the Medicaid and Special Education Reform Fund established pursuant to the Medicaid and Special Education Reform Fund Establishment Act of 2002 (D.C. Law 14–190; D.C. Official Code 4–204.51 et seq.)), in addition, $17,000,000 from funds previously appropriated in this Act under the heading ''Federal Payment for Resident Tuition Support'' and $4,500,000 from funds previously appropriated in this Act under the heading ''Federal Payment for Public School Facilities'', to be allocated as follows:

(1) DISTRICT OF COLUMBIA PUBLIC SCHOOLS.—$870,135,000 (including $738,444,000 from local funds, $114,749,000 from Federal grant funds, $6,527,000 from other funds, $3,599,000 from private funds, and not to exceed $6,816,000, to remain available until expended, from the Medicaid and Special Education Reform Fund established pursuant to the Medicaid and Special Education Reform Fund Establishment Act of 2002 (D.C. Law 14–190; D.C. Official Code 4–204.51 et seq.)), in addition, $4,500,000 from funds previously appropriated in this Act under the heading ''Federal Payment for Public School Facilities'' shall be available for District of Columbia Public Schools: *Provided,* That notwithstanding any other provision of law, rule, or regulation, the evaluation process and instruments for evaluating District of Columbia Public School employees shall be a non-negotiable item for collective bargaining purposes: *Provided further,* That this appropriation shall not be available to subsidize the education of any nonresident of the District of Columbia at any District of Columbia public elementary or secondary school during fiscal year 2004 unless the nonresident pays tuition to the District of Columbia at a rate that covers 100 percent of the costs incurred by the District of Columbia that are attributable to the education of the nonresident (as established by the Superintendent of the District of Columbia Public Schools): *Provided further,* That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia Public Schools on July 1, 2004, an amount equal to 10 percent of the total amount provided for the District of Columbia Public Schools in the proposed budget of the District of Columbia for fiscal year 2005 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the District of Columbia Public Schools under the District of Columbia Appropriations Act, 2005: *Provided further,* That not to exceed $2,500 for the Superintendent of Schools shall be available from this appropriation for official purposes: *Provided further,* That the District of Columbia Public Schools shall submit to the Board of Education by January 1 and July 1 of each year a Schedule A showing all the current funded positions of the District of Columbia Public Schools, their compensation levels, and indicating whether the positions are encumbered: *Provided further,* That the Board of Education shall approve or disapprove each Schedule A within 30 days of its submission and provide the Council of the District of Columbia a copy of the Schedule A upon its approval.

(2) STATE EDUCATION OFFICE.—$38,752,000 (including $9,959,000 from local funds, $28,617,000 from Federal grant funds, and $176,000 from other funds), in addition, $17,000,000 from funds previously appropriated in this Act under the heading ''Federal Payment for Resident Tuition Support'' shall be available for the State Education Office: *Provided,* That of the amounts provided to the State Education Office, $500,000 from local funds shall remain available until June 30, 2005 for an audit of the student enrollment of each District of Columbia Public School and of each District of Columbia public charter school.

(3) DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOLS.—$137,531,000 from local funds shall be available for District of Columbia a public charter schools: *Provided,* That there shall be quarterly disbursement of funds to the District of Columbia public charter schools, with the first payment to occur within 15 days of the beginning of the fiscal year: *Provided further,* That if the entirety of this allocation has not been provided as payments to any public charter schools currently in operation through the per pupil funding formula, the funds shall be available as follows: (1) the first $3,000,000 shall be deposited in the Credit Enhancement Revolving Fund established pursuant to section 603(e) of the Student Loan Marketing Association Reorganization Act of 1996 (Public Law 104–208; 110 Stat. 3009; 20 U.S.C. 1155(e)); and (2) the balance shall be for public education in accordance with section 2403(b)(2) of the District of Columbia School Reform Act of 1995 (D.C. Official Code, sec. 38–1804.03(b)(2)): *Provided further,* That of the amounts made available to District of Columbia public charter schools, $25,000 shall be made available to the Office of the Chief Financial Officer as authorized by section 2403(b)(6) of the District of Columbia School Reform Act of 1995 (D.C. Official Code, sec. 38–1804.03(b)(6)): *Provided further,* That $660,000 of this amount shall be available to the District of Columbia Public Charter School Board for administrative costs: *Provided further,* That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia public charter schools on July 1, 2004, an amount equal to 25 percent of the total amount provided for payments to public charter schools in the proposed budget of the District of Columbia for fiscal year 2005 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for such payments under the District of Columbia Appropriations Act, 2005.

(4) UNIVERSITY OF THE DISTRICT OF COLUMBIA.—$80,660,000 (including $48,656,000 from local funds, $11,867,000 from Federal grant funds, $19,434,000 from other funds, and $703,000 from private funds) shall be available for the University of the District of Columbia: *Provided,* That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2004, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area: *Provided further,* That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the University of the District of Columbia on July 1, 2004, an amount equal to 10 percent of the total amount provided for the University of the District of Columbia in the proposed budget of the District of Columbia for fiscal year 2005 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the University of the District of Columbia under the District of Columbia Appropriations Act, 2005: *Provided further,* That not to exceed $2,500 for the President of the University of the District of Columbia shall be available from this appropriation for official purposes.

(5) DISTRICT OF COLUMBIA PUBLIC LIBRARIES.—$28,287,000 (including $26,750,000 from local funds, $1,000,000 from Federal grant funds, and $537,000 from other funds) shall be available for the District of Columbia Public Libraries: *Provided,* That not to exceed $2,000 for the Public Librarian shall be available from this appropriation for official purposes.

(6) COMMISSION ON THE ARTS AND HUMANITIES.—$2,476,000 (including $1,601,000 from local funds, $475,000 from Federal grant funds, and $400,000 from other funds) shall be available for the Commission on the Arts and Humanities.

HUMAN SUPPORT SERVICES

(INCLUDING TRANSFER OF FUNDS)

Human support services, $2,360,067,000 (including $1,030,223,000 from local funds, $1,247,945,000 from Federal grant funds, $24,330,000 from other funds, $9,330,000 from private funds, and $48,239,000, to remain available until expended, from the Medicaid and Special Education Reform Fund established pursuant to the Medicaid and Special Education Reform Fund Establishment Act of 2002 (D.C. Act 14–403)): *Provided,* That the funds available from the Medicaid and Special Education Reform Fund are allocated as follows: not more than $18,744,000 for Child and Family Services, not more than $7,795,000 for the Department of Human Services, and not more than $21,700,000 for the Department of Mental Health: *Provided further,* That $27,959,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: *Provided further,* That $7,500,000 of this appropriation, to remain available until expended, shall be deposited in the Addiction Recovery Fund, established pursuant to section 5 of the Choice in Drug Treatment Act of 2000 (D.C. Law 13–146; D.C. Official Code, sec. 7–3004) and used exclusively for the purpose of the Drug Treatment Choice Program established pursuant to section 4 of the Choice in Drug Treatment Act of 2000 (D.C. Law 13–146; D.C. Official Code, sec. 7–3003): *Provided further,* That no less than $2,000,000 of this appropriation shall be available exclusively for the purpose of funding the pilot substance abuse program for youth ages 14 through 21 years established pursuant to section 4212 of the Pilot Substance Abuse Program for Youth Act of 2001 (D.C. Law 14–28; D.C. Official Code, sec. 7–3101): *Provided further,* That $4,500,000 of this appropriation, to remain available until expended, shall be deposited in the Interim Disability Assistance Fund established pursuant to section 201 of the District of Columbia Public Assistance Act of 1982 (D.C. Law 4–101; D.C. Official Code, sec. 4–202.01), to be used exclusively for the Interim Disability Assistance program and the purposes for that program set forth in section 407 of the District of Columbia Public Assistance Act of 1982 (D.C. Law 13–252; D.C. Official Code, sec. 4–204.07): *Provided further,* That not less than $640,531 of this appropriation shall be available exclusively for the purpose of funding the Burial Assistance Program established by section 1802 of the Burial Assistance Program Reestablishment Act of 1999 (D.C. Law 13–38; D.C. Official Code, sec. 4–1001).

PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, $327,046,000 (including $308,028,000 from local funds, $5,274,000 from Federal grant funds, and $13,744,000 from other funds): *Provided,* That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business.

CASH RESERVE

For the cumulative cash reserve established pursuant to section 202(j)(2) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (D.C. Official Code, sec. 47–392.02(j)(2)), $50,000,000 from local funds.

EMERGENCY AND CONTINGENCY RESERVE FUNDS

For the emergency reserve fund and the contingency reserve fund under section 450A of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.50a), such amounts from local funds as are necessary to meet the balance requirements for such funds under such section.

REPAYMENT OF LOANS AND INTEREST

For payment of principal, interest, and certain fees directly resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as authorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act (D.C. Official Code, secs. 1–204.62, 1–204.75, and 1–204.90), $311,504,000 from local funds: *Provided,* That for equipment leases, the Mayor may finance $14,300,000 of equipment cost, plus cost of issuance not to exceed two percent of the par amount being financed on a lease purchase basis with a maturity not to exceed five years.

PAYMENT OF INTEREST ON SHORT-TERM BORROWING

For payment of interest on short-term borrowing, $3,000,000 from local funds.

CERTIFICATES OF PARTICIPATION

For principal and interest payments on the District's Certificates of Participation, issued to finance the ground lease underlying the building located at One Judiciary Square, $4,911,000 from local funds.

SETTLEMENTS AND JUDGMENTS

For making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government, $22,522,000 from local funds: *Provided,* That this appropriation shall not be construed as modifying or affecting the provisions of section 103 of this Act.

WILSON BUILDING

For expenses associated with the John A. Wilson building, $3,704,000 from local funds.

WORKFORCE INVESTMENTS

For workforce investments, $22,308,000 from local funds, to be transferred by the Mayor of the District of Columbia within the various appropriation headings in this Act for which employees are properly payable.

NON-DEPARTMENTAL AGENCY

To account for anticipated costs that cannot be allocated to specific agencies during the development of the proposed budget, $19,639,000 (including $11,455,000 from local funds and $8,184,000 from other funds): *Provided,* That anticipated employee health insurance cost increases and contract security costs, $5,799,000 from local funds.

PAY-AS-YOU-GO CAPITAL

For Pay-As-You-Go Capital funds in lieu of capital financing, $11,267,000 from local funds, to be transferred to the Capital Fund, subject to the Criteria for Spending Pay-as-You-Go Funding Amendment Act of 2003, approved by the Council of the District of Columbia on 1st reading, May 6, 2003 (title 25 of Bill 15–218): *Provided,* That pursuant to this Act, there are authorized to be transferred from Pay-As-You-Go Capital funds to other headings of this Act, such sums as may be necessary to carry out the purposes of this Act.

TAX INCREMENT FINANCING PROGRAM

For a Tax Increment Financing Program, $1,940,000 from local funds.

MEDICAID DISALLOWANCE

For making refunds associated with disallowed Medicaid funding, an amount not to

exceed $57,000,000 in local funds, to remain available until expended: *Provided,* That funds are derived from a transfer from the funds identified in the fiscal year 2002 comprehensive annual financial report as the District of Columbia's Grants Disallowance balance.

EMERGENCY PLANNING AND SECURITY COSTS

From funds previously appropriated in this Act under the heading ''Federal Payment for Emergency Planning and Security Costs in the District of Columbia'', $15,000,000.

FAMILY LITERACY

From funds previously appropriated in this Act under the heading ''Federal Payment for the Family Literacy Program'', $2,000,000.

SCHOLARSHIP PROGRAM

From funds previously appropriated in this Act under the heading ''Federal Payment for a District of Columbia Scholarship Program'', $10,000,000.

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY

For operation of the Water and Sewer Authority, $259,095,000 from other funds, of which $18,692,000 shall be apportioned for repayment of loans and interest incurred for capital improvement projects and payable to the District's debt service fund.

For construction projects, $199,807,000, to be distributed as follows: $99,449,000 for the Blue Plains Wastewater Treatment Plant, $16,739,000 for the sewer program, $42,047,000 for the combined sewer program, $5,993,000 for the stormwater program, $24,431,000 for the water program, and $11,148,000 for the capital equipment program; in addition, $35,000,000 from funds previously appropriated in this Act under the heading ''Federal Payment to the District of Columbia Water and Sewer Authority'': *Provided,* That the requirements and restrictions that are applicable to general fund capital improvement projects and set forth in this Act under the Capital Outlay appropriation account shall apply to projects approved under this appropriation account.

WASHINGTON AQUEDUCT

For operation of the Washington Aqueduct, $55,553,000 from other funds.

STORMWATER PERMIT COMPLIANCE ENTERPRISE FUND

For operation of the Stormwater Permit Compliance Enterprise Fund, $3,501,000 from other funds.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriation Act, 1982, for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia (D.C. Law 3–172; D.C. Official Code, sec. 3–1301 et seq. and sec. 22–1716 et seq.), $242,755,000 from other funds: *Provided,* That the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally generated revenues: *Provided further,* That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

SPORTS AND ENTERTAINMENT COMMISSION

For the Sports and Entertainment Commission, $13,979,000 from local funds.

DISTRICT OF COLUMBIA RETIREMENT BOARD

For the District of Columbia Retirement Board, established pursuant to section 121 of the District of Columbia Retirement Reform Act of 1979 (D.C. Official Code, sec. 1–711), $13,895,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board: *Provided,* That the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: *Provided further,* That the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report.

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

For the Washington Convention Center Enterprise Fund, $69,742,000 from other funds.

NATIONAL CAPITAL REVITALIZATION CORPORATION

For the National Capital Revitalization Corporation, $7,849,000 from other funds.

CAPITAL OUTLAY

(INCLUDING RESCISSIONS)

For construction projects, an increase of $1,004,796,000, of which $601,708,000 shall be from local funds, $46,014,000 from Highway Trust funds, $38,311,000 from the Rights-of-way funds, $218,880,000 from Federal grant funds, and a rescission of $99,884,000 from local funds appropriated under this heading in prior fiscal years, for a net amount of $904,913,000, to remain available until expended; in addition, $8,000,000 from funds previously appropriated in this Act under the heading ''Federal Payment for Capital Development in the District of Columbia'' and $4,300,000 from funds previously appropriated in this Act under the heading ''Federal Payment for the Anacostia Waterfront Initiative'': *Provided,* That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: *Provided further,* That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended.

TITLE III—GENERAL PROVISIONS

SEC. 101. Whenever in this Act, an amount is specified within an appropriation for a particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 102. Appropriations in this act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor: *Provided,* That in the case of the Council of the District of Columbia, funds may be expended with the authorization of the Chairman of the Council.

SEC. 103. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have entered against the District of Columbia government: *Provided,* That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Official Code, sec. 47–1812.11(c)(3)).

SEC. 104. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly to provided herein.

SEC. 105. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during non-school hours.

SEC. 106. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, and salary are not available for inspection by the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, the Committee on Governmental Affairs of the Senate, and the Council of the District of Columbia, or their duty authorized representative.

SEC. 107. (a) Except as provided in subsection (b), no part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

(b) The District of Columbia may use local funds provided in this Act to carry out lobbying activities on any matter other than—

(1) the promotion or support of any boycott; or

(2) statehood for the District of Columbia or voting representation in Congress for the District of Columbia.

(c) Nothing in this section may be construed to prohibit any elected official from advocating with respect to any of the issues referred to in subsection (b).

SEC. 108. (a) None of the funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2004, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

(4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;

(5) reestablishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of $1,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center;

unless the Committee on Appropriations of the House of Representatives and Senate are notified in writing 30 days in advance of the reprogramming.

(b) None the local funds contained in this Act may be available for obligation or expenditure for an agency through a transfer of any local funds from one appropriation heading to another unless the Committees on Appropriations of the House of Representatives and Senate are notified in writing 30 days in advance of the transfer, except that in no event may the amount of any funds transferred exceed four percent of the local funds in the appropriations.

SEC. 109. Consistent with the provisions of section 1301(a) of title 31, United States Code, appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 110. Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2–139; D.C. Official Code, sec. 1–601.01 et seq.), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204l.22(3)), shall apply with respect to the compensation of District of Columbia employees: *Provided*, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

SEC. 111. No later than 30 days after the end of the first quarter of fiscal year 2004, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia and the Committees on Appropriations of the House of Representatives and Senate the new fiscal year 2004 revenue estimates as of the end of such quarter. These estimates shall be used in the budget request for fiscal year 2005. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 112. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6–85; D.C. Official Code, sec. 2–303.03), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical, but only if the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and has been reviewed and certified by the Chief Financial Officer of the District of Columbia.

SEC. 113. (a) In the event a sequestration order is issued pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 after the amounts appropriated to the District of Columbia for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: *Provided*, That the sequestration percentage specified in the order shall be applied proportionately to each of the Federal appropriation accounts in this Act that are not specifically exempted from sequestration by such Act.

(b) For purposes of the Balanced Budget and Emergency Deficit Control Act of 1985, the term ''program, project, and activity'' shall be synonymous with and refer specifically to each account appropriating Federal funds in this Act, and any sequestration order shall be applied to each of the accounts rather than to the aggregate total of those accounts: *Provided*, That sequestration orders shall not be applied to any account that is specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 114. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

SEC. 115. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 116. None of the Federal funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C. Official Code, sec. 32–701 et seq.) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples, including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

SEC. 117. (a) Notwithstanding any other provision of this Act, the Mayor, in consultation with the Chief Financial Officer of the District of Columbia may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(b)(1) No such Federal, private, or other grant may be accepted, obligated, or expended pursuant to subsection (a) until—

(A) the Chief Financial Officer of the District of Columbia submits to the Council a report setting forth detailed information regarding such grant; and

(B) the Council has reviewed and approved the acceptance, obligation, and expenditure of such grant.

(2) For purposes of paragraph (1)(B), the Council shall be deemed to have reviewed and approved the acceptance, obligation, and expenditure of a grant if—

(A) no written notice of disapproval is filed with the Secretary of the Council within 14 calendar days of the receipt of the report from the Chief Financial Officer under paragraph (1)(A); or

(B) if such a notice of disapproval is filed within such deadline, the Council does not by resolution disapprove the acceptance, obligation, or expenditure of the grant within 30 calendar days of the initial receipt of the report from the Chief Financial Officer under paragraph (1)(A).

(c) No amount may be obligated or expended from the general fund or other funds of the District of Columbia government in anticipation of the approval or receipt of a grant under subsection (b)(2) or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such subsection.

(d) The Chief Financial Officer of the District of Columbia shall prepare a quarterly report setting forth detailed information regarding all Federal, private, and other grants subject to this section. Each such report shall be submitted to the Council of the District of Columbia and to the Committees on Appropriations of the House of Representatives and Senate not later than 15 days after the end of the quarter covered by the report.

SEC. 118. (a) Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term ''official duties'' does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day;

(3) the Mayor of the District of Columbia; and

(4) the Chairman of the Council of the District of Columbia.

(b) The Chief Financial Officer of the District of Columbia shall submit by March 1, 2004, an inventory, as of September 30, 2003, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance costs; current mileage; and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and resident location.

SEC. 119. No officer or employee of the District of Columbia government (including any independent agency of the District of Columbia, but excluding the Office of the Chief Technology Officer, the Office of the Chief Financial Officer of the District of Columbia, and the Metropolitan Police Department) may enter into an agreement in excess of $2,500 for the procurement of goods or services on behalf of any entity of the District government until the officer or employee has conducted an analysis of how the procurement of the goods and services involved under the applicable regulations and procedures of the District government would differ from the procurement of the goods and services involved under the Federal supply schedule and other applicable regulations and procedures of the General Services Administration, including an analysis of any differences in the costs to be incurred and the time required to obtain the goods or services.

SEC. 120. None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government for fiscal year 2004 unless—

(1) the audit is conducted by the Inspector General of the District of Columbia, in coordination with the Chief Financial Officer of the District of Columbia, pursuant to section 208(a)(4) of the District of Columbia Procurement Practices Act of 1985 (D.C. Official Code, sec. 2–302.8); and

(2) the audit includes as a basic financial statement a comparison of audited actual year-end results with the revenues submitted in the budget document for such year and the appropriations enacted into law for such year using the format, terminology, and classifications contained in the law making the appropriations for the year and its legislative history.

SEC. 121. (a) None of the funds contained in this Act may be used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Corporation Counsel from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 122. (a) None of the funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Any individual or entity who receives any funds contained in this Act and who carries out any program described in subsection (a) shall account for all funds used for such

program separately from any funds contained in this Act.

SEC. 123. None of the funds contained in this Act may be used after the expiration of the 60-day period that begins on the date of the enactment of this Act to pay the salary of any chief financial officer of any office of the District of Columbia government (including any independent agency of the District of Columbia) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and the officer's agency as a result of this Act (and the amendments made by this Act), including any duty to prepare a report requested either in the Act or in any of the reports accompanying the Act and the deadline by which each report must be submitted. The Chief Financial Officer of the District of Columbia shall provide to the Committees on Appropriations of the House of Representatives and Senate by the 10th day after the end of each quarter a summary list showing each report, the due date, and the date submitted to the Committees.

SEC. 124. (a) None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors of the District of Columbia on November 3, 1998, shall not take effect.

SEC. 125. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a ''conscience clause'' which provides exceptions for religious beliefs and moral convictions.

SEC. 126. The Mayor of the District of Columbia shall submit to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate quarterly reports addressing—

(1) crime, including the homicide rate, implementation of community policing, the number of police officers on local beats, and the closing down of open-air drug markets;

(2) access to substance and alcohol abuse treatment, including the number of treatment slots, the number of people served, the number of people on waiting lists, and the effectiveness of treatment programs;

(3) management of parolees and pre-trial violent offenders, including the number of halfway houses escapes and steps taken to improve monitoring and supervision of halfway house residents to reduce the number of escapes to be provided in consultation with the Court Services and Offender Supervision Agency for the District of Columbia;

(4) education, including access to special education services and student achievement to be provided in consultation with the District of Columbia Public Schools and the District of Columbia public charter schools;

(5) improvement in basic District services, including rat control and abatement;

(6) application for and management of Federal grants, including the number and type of grants for which the District was eligible but failed to apply and the number and type of grants awarded to the District but for which the District failed to spend the amounts received; and

(7) indicators of child well-being.

SEC. 127. No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42), for all agencies of the District of Columbia government for fiscal year 2003 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

SEC. 128. None of the funds contained in this Act may be used to issue, administer, or enforce any order by the District of Columbia Commission on Human Rights relating to docket numbers 93–030–(PA) and 93–031–(PA).

SEC. 129. None of the Federal funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 130. During fiscal year 2004 and any subsequent fiscal year, in addition to any other authority to pay claims and judgments, any department, agency, or instrumentality of the District government may use local funds to pay the settlement or judgment of a claim or lawsuit in an amount less than $10,000, in accordance with the Risk Management for Settlements and Judgments Amendment Act of 2000 (D.C. Law 13–172; D.C. Official Code, sec. 2–402).

SEC. 131. Notwithstanding any other law, the District of Columbia Courts shall transfer to the general treasury of the District of Columbia all fines levied and collected by the Courts under section 10(b)(1) and (2) of the District of Columbia Traffic Act (D.C. Official Code, sec. 50–2201.05(b)(1) and (2)). The transferred funds shall remain available until expended and shall be used by the Office of the Corporation Counsel for enforcement and prosecution of District traffic alcohol laws in accordance with section 10(b)(3) of the District of Columbia Traffic Act (D.C. Official Code, sec. 50–2201.05(b)(3)).

SEC. 132. During fiscal year 2004 and any subsequent fiscal year, any agency of the District government may transfer to the Office of Labor Relations and Collective Bargaining (OLRCB) such local funds as may be necessary to pay for representation by OLRCB in third-party cases, grievances, and dispute resolution, pursuant to an intra-District agreement with OLRCB. These amounts shall be available for use by OLRCB to reimburse the cost of providing the representation.

SEC. 133. (a) None of the funds contained in this Act may be made available to pay—

(1) the fees of an attorney who represents a party in an action or an attorney who defends an action, including an administrative proceeding, brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) in excess of $4,000 for that action; or

(2) the fees of an attorney or firm whom the Chief Financial Officer of the District of Columbia determines to have a pecuniary interest, either through an attorney, officer or employee of the firm, in any special education diagnostic services, schools, or other special education service providers.

(b)(1) The District of Columbia Public Schools shall increase the amount of local funds it allocates for services to children under the Individuals With Disabilities Education Act during fiscal year 2004 by the amount of savings resulting during the year from the restrictions on the payment of attorney fees under subsection (a), as estimated and published by the Chief Financial Officer.

(2) The Chief Financial Officer shall make estimates of the savings described in paragraph (1) on a quarterly basis during fiscal year 2004, and shall publish the estimates not later than 10 days after the end of each quarter.

SEC. 134. The Chief Financial Officer of the District of Columbia shall require attorneys in special education cases brought under the Individuals with Disabilities Act (IDEA) in the District of Columbia to certify in writing that the attorney or representative rendered any and all services for which they receive awards, including those received under a settlement agreement or as part of an administrative proceeding, under the IDEA from the District of Columbia: *Provided*, That as part of the certification, the Chief Financial Officer of the District of Columbia shall require all attorneys in IDEA cases to disclose any financial, corporate, legal, memberships on boards of directors, or other relationships with any special education diagnostic services, schools, or other special education service providers to which the attorneys have referred any clients as part of this certification: *Provided further*, That the Chief Financial Officer shall prepare and submit quarterly reports to the Committees on Appropriations of the Senate and the House of Representatives on the certification of and the amount paid by the government of the District of Columbia, including the District of Columbia Public Schools, to attorneys in cases brought under IDEA: *Provided further*, That the Inspector General of the District of Columbia may conduct investigations to determine the accuracy of the certifications.

SEC. 135. None of the funds contained in this Act may be used to fund or otherwise support the action of District of Columbia, et al., v. Beretta U.S.A. et al. (Nos. 03–CV–24, 03–CV–38, District of Columbia Court of Appeals).

Mr. FRELINGHUYSEN (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 52, line 12 be considered as read, printed in the RECORD and opened to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

POINT OF ORDER

Mr. TOM DAVIS of Virginia. Mr. Chairman, I raise a point of order against section 119 regarding sole source contracts on the grounds that this section changes existing law in violation of clause 2(b) of House rule XXI and is, therefore, legislation included in a general appropriation bill.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. FRELINGHUYSEN. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained, and the provision is stricken from the bill.

Are there any amendments?

AMENDMENT OFFERED BY MR. TOM DAVIS OF VIRGINIA

Mr. TOM DAVIS of Virginia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TOM DAVIS of Virginia:

Page 52, insert after line 12 the following:

TITLE IV—DC PARENTAL CHOICE

SEC. 401. SHORT TITLE.

This title may be cited as the ''DC Parental Choice Incentive Act of 2003''.

SEC. 402. FINDINGS.

The Congress finds the following:

(1) Parents are best equipped to make decisions for their children, including the educational setting that will best serve the interests and educational needs of their child.

(2) For many parents in the District of Columbia, public school choice provided for under the No Child Left Behind Act of 2001 is inadequate due to capacity constraints within the public schools. Therefore, in keeping with the spirit of the No Child Left Behind Act of 2001, school choice options, in addition to those already available to parents in the District of Columbia (such as magnet and charter schools and open enrollment schools) should be made available to those parents.

(3) In the most recent mathematics assessment on the National Assessment of Educational Progress (NAEP), administered in 2000, a lower percentage of 4th-grade students in DC demonstrated proficiency than was the case for any State. Seventy-six percent of DC fourth-graders scored at the ''below basic'' level and of the 8th-grade students in the District of Columbia, only 6 percent of the students tested at the proficient or advanced levels, and 77 percent were below basic. In the most recent NAEP reading assessment, in 1998, only 10 percent of DC fourth-graders could read proficiently, while 72 percent were below basic. At the 8th-grade level, 12 percent were proficient or advanced and 56 percent were below basic.

(4) A program enacted for the valid secular purpose of providing educational assistance to low-income children in a demonstrably failing public school system is constitutional under Zelman v. Simmons-Harris if it is neutral with respect to religion and provides assistance to a broad class of citizens who direct government aid to schools solely as a result of their independent private choices.

SEC. 403. PURPOSE.

The purpose of this title is 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 section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316), with expanded opportunities for enrolling their children in higher-performing schools in the District of Columbia.

SEC. 404. GENERAL AUTHORITY.

(a) AUTHORITY.—From funds appropriated to carry out this title, the Secretary shall award grants on a competitive basis to eligible entities with approved applications under section 405 to carry out activities to provide eligible students with expanded school choice opportunities. The Secretary may award a single grant or multiple grants, depending on the quality of applications submitted and the priorities of this title.

(b) DURATION OF GRANTS.—The Secretary may make grants under this section for a period of not more than 5 years.

SEC. 405. APPLICATIONS.

(a) IN GENERAL.—In order to receive a grant under this title, an eligible entity shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(b) CONTENTS.—The Secretary may not approve the request of an eligible entity for a grant under this title unless the entity's application includes—

(1) a detailed description of—

(A) how the entity will address the priorities described in section 406;

(B) how the entity will ensure that if more eligible students seek admission in the program than the program can accommodate, eligible students are selected for admission through a random selection process which gives weight to the priorities described in section 406;

(C) how the entity will ensure that if more participating eligible students seek admission to a participating school than the school can accommodate, participating eligible students are selected for admission through a random selection process;

(D) how the entity will notify parents of eligible students of the expanded choice opportunities;

(E) the activities that the entity will carry out to provide parents of eligible students with expanded choice opportunities through the awarding of scholarships under section 407(a);

(F) how the entity will determine the amount that will be provided to parents for the tuition, fees, and transportation expenses, if any;

(G) how the entity will seek out private elementary and secondary schools in the District of Columbia to participate in the program, and will ensure that participating schools will meet the applicable requirements of this title and provide the information needed for the entity to meet the reporting requirements of this title;

(H) how the entity will ensure that participating schools are financially responsible;

(I) how the entity will address the renewal of scholarships to participating eligible students, including continued eligibility; and

(J) how the entity will ensure that a majority of its voting board members or governing organization are residents of the District of Columbia; and

(2) an assurance that the entity will comply with all requests regarding any evaluation carried out under section 409.

SEC. 406. PRIORITIES.

In awarding grants under this title, the Secretary shall give priority to applications from eligible entities who will most effectively—

(1) give priority to eligible students who, in the school year preceding the school year for which the eligible student is seeking a scholarship, attended an elementary or secondary school identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316);

(2) target resources to students and families that lack the financial resources to take advantage of available educational options;

(3) provide students and families with the widest range of educational options; and

(4) serve students of varying ages and grade levels.

SEC. 407. USE OF FUNDS.

(a) SCHOLARSHIPS.—

(1) IN GENERAL.—Subject to paragraph (2) and (3), a grantee shall use the grant funds to provide eligible students with scholarships to pay the tuition, fees, and transportation expenses, if any, to enable them to attend the District of Columbia private elementary or secondary school of their choice. Each grantee shall ensure that the amount of any tuition or fees charged by a school participating in the grantee's program under this title to an eligible student participating in the program does not exceed the amount of tuition or fees that the school customarily charges to students who do not participate in the program.

(2) PAYMENTS TO PARENTS.—A grantee shall make scholarship payments under the program under this title to the parent of the eligible student participating in the program, in a manner which ensures that such payments will be used for the payment of tuition, fees, and transportation expenses (if any), in accordance with this title.

(3) AMOUNT OF ASSISTANCE.—

(A) VARYING AMOUNTS PERMITTED.—Subject to the other requirements of this section, a grantee may award scholarships in larger amounts to those eligible students with the greatest need.

(B) ANNUAL LIMIT ON AMOUNT.—The amount of assistance provided to any eligible student by a grantee under a program under this title may not exceed $7,500 for any academic year.

(b) ADMINISTRATIVE EXPENSES.—A grantee may use not more than 3 percent of the amount provided under the grant each year for the administrative expenses of carrying out its program under this title during the year, including—

(1) determining the eligibility of students to participate;

(2) providing information about the program and the schools involved to parents of eligible students;

(3) selecting students to receive scholarships;

(4) determining the amount of scholarships and issuing them to eligible students;

(5) compiling and maintaining financial and programmatic records; and

(6) providing funds to assist parents in meeting expenses that might otherwise preclude the participation of their child in the program.

SEC. 408. NONDISCRIMINATION.

(a) IN GENERAL.—A school participating in any program under this title shall not discriminate on the basis of race, color, national origin, or sex in participating in the program.

(b) APPLICABILITY AND CONSTRUCTION WITH RESPECT TO DISCRIMINATION ON THE BASIS OF SEX.—

(1) APPLICABILITY.—Notwithstanding subsection (a) or any other provision of law, it shall not be considered discrimination on the basis of sex for a school that is operated by, supervised by, controlled by, or connected to a religious organization to take sex into account to the extent that failing to do so would be inconsistent with the religious tenets or beliefs of the school.

(2) SINGLE-SEX SCHOOLS, CLASSES, OR ACTIVITIES.—Notwithstanding subsection (a) or any other provision of law, a parent may choose and a school may offer a single-sex school, class, or activity.

(3) CONSTRUCTION.—With respect to discrimination on the basis of sex, nothing in subsection (a) shall be construed to require any person or public or private entity to provide or pay, or to prohibit any such person or entity from providing or paying, for any benefit or service, including the use of facilities, related to an abortion. Nothing in the preceding sentence shall be construed to permit a penalty to be imposed on any person or individual because such person or individual is seeking or has received any benefit or services related to a legal abortion.

(c) CHILDREN WITH DISABILITIES.—Nothing in this title may be construed to alter or modify the provisions of the Individuals with Disabilities Education Act.

(d) RELIGIOUSLY AFFILIATED SCHOOLS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a school participating

in any program under this title which is operated by, supervised by, controlled by, or connected to, a religious organization may employ persons of the same religion to the extent determined by that school to promote the religious purpose for which the school is established or maintained.

(2) RELIGIOUS PURPOSES.—Notwithstanding any other provision of law, funds made available under this title may be used for religious educational purposes, and no participating school shall be required to remove religious art, icons, scriptures, or other symbols. A participating school may retain religious terms in its name, select its board members on a religious basis, and include religious references in its mission statements and other chartering or governing documents.

(e) RULE OF CONSTRUCTION.—A scholarship (or any other form of support provided to parents of eligible students) under this title shall be considered assistance to the student and shall not be considered assistance to the school that enrolls the eligible student. The amount of any scholarship (or other form of support provided to parents of an eligible student) under this title shall not be treated as income of the parents for purposes of Federal tax laws or for determining eligibility for any other Federal program.

SEC. 409. EVALUATIONS.

(a) IN GENERAL.—

(1) DUTIES OF SECRETARY.—The Secretary shall—

(A) conduct an evaluation using the strongest possible research design for determining the effectiveness of the programs funded under this title that addresses the issues described in paragraph (2); and

(B) disseminate information on the impact of the programs in increasing the student academic achievement of participating students, as well as other appropriate measures of student success, and on the impact of the programs on students and schools in the District of Columbia.

(2) ISSUES TO BE EVALUATED.—The issues described in this paragraph include the following:

(A) A comparison of the academic achievement of students who participate in the programs funded under this title with the academic achievement of students of similar backgrounds who do not participate in such programs.

(B) The success of the programs in expanding choice options for parents.

(C) The reasons parents choose for their children to participate in the programs.

(D) A comparison of the retention rates, dropout rates, and (if appropriate) graduation and college admission rates of students who participate in the programs funded under this title with the retention rates, dropout rates, and (if appropriate) graduation and college admission rates of students of similar backgrounds who do not participate in such programs.

(E) The impact of the program on students and public elementary and secondary schools in the District of Columbia.

(F) A comparison of the safety of the schools attended by students who participate in the programs and the schools attended by students who do not participate in the programs.

(G) Such other issues as the Secretary considers appropriate for inclusion in the evaluation.

(b) REPORTS.—The Secretary shall submit to the Committees on Appropriations, Education and the Workforce, and Government Reform of the House of Representatives and the Committees on Appropriations, Health, Education, Labor, and Pensions, and Governmental Affairs of the Senate—

(1) annual interim reports not later than December 1 of each year for which a grant is made under this title on the progress and preliminary results of the evaluation of the programs funded under this title; and

(2) a final report not later than 1 year after the final year for which a grant is made under this title on the results of the evaluation of the programs funded under this title.

(c) PUBLIC AVAILABILITY.—All reports and underlying data gathered pursuant to this section shall be made available to the public upon request, in a timely manner following submission of the applicable report under subsection (b), except that personally identifiable information shall not be disclosed or made available to the public.

(d) LIMIT ON AMOUNT EXPENDED.—The amount expended by the Secretary to carry out this section for any fiscal year may not exceed 3 percent of the total amount appropriated to carry out this title for the fiscal year.

SEC. 410. REPORTING REQUIREMENTS.

(a) ACTIVITIES REPORTS.—Each grantee receiving funds under this title during a year shall submit a report to the Secretary not later than July 30 of the following year regarding the activities carried out with the funds during the preceding year.

(b) ACHIEVEMENT REPORTS.—

(1) IN GENERAL.—In addition to the reports required under subsection (a), each grantee shall, not later than September 1 of the year during which the second academic year of the grantee's program is completed and each of the next 2 years thereafter, submit a report to the Secretary regarding the data collected in the previous 2 academic years concerning—

(A) the academic achievement of students participating in the program;

(B) the graduation and college admission rates of students who participate in the program, where appropriate; and

(C) parental satisfaction with the program.

(2) PROHIBITING DISCLOSURE OF PERSONAL INFORMATION.—No report under this subsection may contain any personally identifiable information.

(c) REPORTS TO PARENT.—

(1) IN GENERAL.—Each grantee shall ensure that each school participating in the grantee's program under this title during a year reports at least once during the year to the parents of each of the school's students who are participating in the program on—

(A) the student's academic achievement, as measured by a comparison with the aggregate academic achievement of other participating students at the student's school in the same grade or level, as appropriate, and the aggregate academic achievement of the student's peers at the student's school in the same grade or level, as appropriate; and

(B) the safety of the school, including the incidence of school violence, student suspensions, and student expulsions.

(2) PROHIBITING DISCLOSURE OF PERSONAL INFORMATION.—No report under this subsection may contain any personally identifiable information, except as to the student who is the subject of the report to that student's parent.

(d) REPORT TO CONGRESS.—The Secretary shall submit to the Committees on Appropriations, Education and the Workforce, and Government Reform of the House of Representatives and the Committees on Appropriations, Health, Education, Labor, and Pensions, and Governmental Affairs of the Senate an annual report on the findings of the reports submitted under subsections (a) and (b).

SEC. 411. OTHER REQUIREMENTS FOR PARTICIPATING SCHOOLS.

(a) ADMISSION OF ELIGIBLE STUDENTS.—Each school choosing to participate in a program funded under this title shall accept any participating eligible student on a religious-neutral basis, except that if the school has more participating eligible students seeking admission than it can accommodate, the school shall accept participating eligible students through a religious-neutral, random selection process, consistent with section 405(b)(1)(C).

(b) REQUESTS FOR DATA AND INFORMATION.—Each school participating in a program funded under this title shall comply with all requests for data and information regarding evaluations conducted under section 409(a).

(c) RULES OF CONDUCT AND OTHER SCHOOL POLICIES.—Subject to section 408, a participating school may require eligible students to abide by any rules of conduct and other requirements applicable to all other students at the school.

SEC. 412. DEFINITIONS.

As used in this title:

(1) ELEMENTARY SCHOOL.—The term ''elementary school'' has the meaning given that term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means any of the following:

(A) An educational entity of the District of Columbia Government.

(B) A nonprofit organization.

(C) A consortium of nonprofit organizations.

(3) ELIGIBLE STUDENT.—The term ''eligible student'' means a student who is a resident of the District of Columbia and who comes from a household whose income does not exceed 185 percent of the poverty line applicable to a family of the size involved.

(4) PARENT.—The term ''parent'' has the meaning given that term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(5) POVERTY LINE.—The term ''poverty line'' has the meaning given that term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) SECONDARY SCHOOL.—The term ''secondary school'' has the meaning given that term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

SEC. 413. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title $10,000,000 for fiscal year 2004 and such sums as may be necessary for each of the 4 succeeding fiscal years.

The CHAIRMAN. Pursuant to the order of the House of Friday, July 25, 2003, the gentleman from Virginia (Mr. TOM DAVIS) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

I am offering this amendment with the gentleman from New Jersey (Chairman FRELINGHUYSEN) and the gentleman from Ohio (Chairman BOEHNER). This creates an historic opportunity for families and students of the District of Columbia. This amendment can make a huge difference in the lives of thousands of low-income children from nonperforming schools in the District. It represents a shot at a better education and, of course in turn, a better life.

The condition of the D.C. public schools, I think, is clearly documented. We have talked about this earlier today in the debate. It has concerned me since the first day I came to Congress as chairman of the District of Columbia Subcommittee. And while we have made strides in so many areas of the city since that time and some in education, the quality of educational opportunities should continue to worry all of us.

One thing is clear, I think both sides agree to this: Too many children in our Nation's capital are not getting the education that they need and that they deserve. Lower-income families concerned about the quality of safety of their children in the D.C. public schools should not have to resign themselves to sending their kids to underperforming schools where students are not adequately motivated to perform.

Over the past decade, Congress has spent considerable time and resources working with the District to reform its education system, but the ability of D.C. schools to meet key performance goals has long been plagued by financial mismanagement and a host of other problems, which means just throwing money at this problem alone is not going to solve it. Despite concerned efforts by local officials to improve the public school system, and there has been some progress, we are not getting the kind of progress in improving academic performance that ought to be available to these kids.

I have traditionally opposed Federal dollars going to private schools because I think Federal dollars ought to be targeted to the public schools. Of course, in this case, we give the dollars directly to the parents who make those choices. But for the District, which does not have a State government to rely on, as we take a look at other voucher programs around the country, cities work in concert with States. The District does not have a State. So I think we have an obligation here to answer the calls from the mayor, the chairman of the school board and the Washington Post and other advocates for D.C. children, and we have to ask this question: Would not more choices funded by new Federal dollars provide a needed alternative for low-income children attending low-performing schools?

Our committee heard testimony on this before we gave authorization authority. The mayor was asked, specifically, if he had this money for vouchers, if he could use it for something else, would he not rather use it for the public school system? He said no. He said we need this alternative as well.

It stands on its own and this is additional money that would not be available to the District of Columbia public schools were it not for this amendment. I have received calls from parents who are frustrated, angry, and distraught by their children's school situation. These parents have attended our hearings. They have danced and wept when our committee approved school choice legislation. But I think it is time to do more than just sympathize. This is a moral imperative.

The school choice debate should not be about politics or interest groups. We should have an honest appraisal of the state of affairs in our public schools and about offering an alternative for students and parents, and what is being proposed is not a mandate. It is a choice. The goal of school choice for the city is addition, not subtraction. We all want the city's education system to improve, and I hope that this is a short-term effort to do something about it. The fact is the monopoly of the D.C. public school system is harming kids, not helping them. It is time to shake up that monopoly.

This amendment expands educational opportunity to city students in underperforming elementary and secondary schools, underperforming schools. Other schools, kids do not get the aid. The choice program would be established through a competitive process, administered by the Department of Education, to ensure that the public or private entity that administers the initiative would be dedicated and capable of carrying out a top-notch program.

And there are reporting requirements, many to be written later by the Department of Education, but the legislation here, I think, has criteria that it sets out that need to be met in terms of going on to college, performance levels, tests, and the like. It would provide scholarships of up to $7,500 to eligible students to cover the cost of tuition fees and transportation expenses. It would be considered assistance to the students, not the schools. In order to assure accountability, an evaluation is conducted that would consider the impact in academic achievement attained by the program.

This legislation is a result of a lot of negotiation and consultation with city officials, elected city officials, with the administration and committees with key jurisdiction in Congress. For the first time ever, the mayor, the elected Democratic mayor of the District of Columbia, has come to the conclusion that ". . . if done effectively, this program would provide even more choices for primarily low-income families who currently do not have the same freedom of choice enjoyed by their affluent counterparts."

Enhancing educational quality in the city is a critical component of maintaining the positive momentum we have seen in recent years under the stewardship of Mayor Williams and the Council. It is our duty to provide resources so that the kids can have a brighter future. This is not a panacea, but it is a significant step in the right direction and, hopefully, one that will not be needed indefinitely.

I urge my colleagues to support this amendment. I say to my friends on the other side that we are going to disagree about this, but I think we want the same thing for all these kids, eventually. We will be working together on a number of other issues, but it is my considered judgment, having given a lot of time and thought to this, that this is probably the best thing we can offer, and I urge my colleagues to support it.

Mr. FATTAH. Mr. Chairman, will the gentleman yield?

Mr. TOM DAVIS of Virginia. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, just a factual question, on page 9, the language at the bottom where it refers to religiously affiliated schools, is my reading of this to say that this bill would allow for religiously oriented schools to utilize these scholarships that are being provided?

Mr. TOM DAVIS of Virginia. Yes, that is correct.

Mr. FATTAH. Mr. Chairman, is there some list of which religiously affiliated schools would be eligible?

Mr. TOM DAVIS of Virginia. Mr. Chairman, they have to be accredited. They have to meet D.C. standards, number one.

Mr. FATTAH. Mr. Chairman, that is my question. I would not understand that there are any accrediting procedures for religious schools now in the District. And if there are, I would be interested in knowing that.

Mr. TOM DAVIS of Virginia. Mr. Chairman, the U.S. Department of Education would carry the list, it is my understanding.

Mr. FATTAH. Mr. Chairman, so it is the gentleman's intention that there would be created, because there is none now, lists of what would be approved, accredited religious schools?

Mr. TOM DAVIS of Virginia. Mr. Chairman, that is correct. And regardless of how this comes out, I hope we would work with the gentleman.

Mr. FATTAH. Mr. Chairman, I am not trying to be argumentative.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I think the gentleman raised the point of what happened in Florida, and we do not want that to happen. I think that is very clear.

Mr. FATTAH. Well, as I would understand the facts at the moment, that is why I am asking, there is no accrediting process for religiously-affiliated schools K to 12 in the District today, and there is none that is created by your language?

Mr. TOM DAVIS of Virginia. Mr. Chairman, my understanding is that the Department of Education will carry the accredited list at this point, in terms of eligible schools. Not just any school willy-nilly is eligible.

Mr. FATTAH. So the gentleman understands that there is a list or that somewhere in this language it gives the Department authority to create such a list?

Mr. TOM DAVIS of Virginia. Correct. That is my understanding.

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Mr. TOM DAVIS of Virginia. That is my understanding.

Mr. FATTAH. Which one is it, the former or the latter?

Mr. TOM DAVIS of Virginia. The Secretary of Education is the one I think that would set that standard.

Mr. FATTAH. So are there certain religious affiliations that would be acceptable and others that would not?

Mr. TOM DAVIS of Virginia. To my understanding, it is not a discrimination based on that, but they would have to meet certain academic performance standards. This was drafted, of course, looking at the court cases in line to make sure this met the requirements.

Mr. Chairman, I am happy to answer the gentleman's question, but let me stop at this time and make sure we can get our advocates up, and maybe we can further this discussion if time permits.

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

Ms. NORTON. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIRMAN. The gentlewoman from the District of Columbia is recognized for 20 minutes.

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman from Virginia is not only a good personal friend, he is a good professional friend, and he has always been a good friend of the District. More often than not we are on this floor arguing on the same side, fighting for what the majority in the District wants, including the majority of the members of the council and the majority of the elected members of the school board. This happens to be an exception, but we are going to keep on working together because we are so close.

It is ironic, I must say to my good friend though, that he has got a legislative rider on here. He made two points of order today. He is regularly on the floor opposing Committee on Government Reform riders, but he has taken this bill to the Committee on Rules in order to allow himself to put a rider on this bill. This bill legislates on an appropriations bill.

But I really want to use my time not to rehash the arguments we have heard, but to make some corrections based on what I have heard.

My good friend from Virginia earlier said during the debate that the District spent more than Arlington and Fairfax, and some others have gotten up to say that we spend more than any other State. I keep hearing that. It keeps being said. It is false.

I want to read from an official schools document: ''Despite differences in student needs, even with Federal funds included, the D.C. public schools spend less per pupil than Arlington or Alexandria, and not much more than Montgomery or Fairfax.''

Remember, Montgomery and Fairfax spend a whole lot of money on children that are not at all disadvantaged, and huge numbers of mine are severely disadvantaged.

The gentlewoman from Pennsylvania said that our schools would actually be better off without these 2,000 children. Actually, we will lose $25 million in combined Federal and local per-pupil funding because schools are funded on a per-pupil basis, and that is in addition to the $40 million that the schools are already being cut this year.

It certainly is not true that we are saying to our children, and I would certainly never say it, Hey, wait until the schools are fixed. Indeed, we applaud the options that are available to our public schools; the largest number of charter schools in the country, the transformation schools, which have seen a breakthrough in test scores that no public or private school has ever done for our most needy children, our out-of-boundary possibilities for our children.

I applaud especially the work of the Washington Scholarship Fund. That is for now. The Washington Scholarship Fund, which with private money as I speak is doing exactly what this bill will do, but probably will not do it if this bill passes, because Federal money will replace their private money that they have been using, much to their credit, to send our children to local private schools.

We want our own choices. That is all we are asking. You take your choices, the ones you have in your districts. Leave us to our own choices. Do not accuse us of giving no choices to our children.

The most important thing I could say at this time, though, would be to correct the notion that the so-called three-sector approach, which developed only after there was great criticism of vouchers in the District of Columbia, somehow amounts to an equivalence of funding for the charter and public schools with vouchers.

Please hear me on this: this Davis bill has 5 years of authorization for vouchers. What happens for the public and charter schools is this year, on a one-time-only appropriation, we throw some money at the public schools in order to ease the way for vouchers.

I was able to get money for our charter schools, a great deal more than this last year, without having to pay a price in vouchers. Next year I guess we will have to come begging at the table because, unlike the voucher money, the gentleman from Virginia (Mr. TOM DAVIS) had the opportunity to add public schools in a bill I offered in committee that would have put us on the same footing, but we are not on the same footing. We have got 5 years of vouchers, one-time-only money for the public schools, in this appropriation. That is the most problematic money the Congress ever has to offer.

We have been demonizing the public schools of the District of Columbia. Be my guest. But if you expect that sending our children to private schools will correct their problems, then you need to look at the GAO study of 10 years of experience in all the schools that have used vouchers. What they have found is there is no significant difference between the children using the vouchers in their performance on tests and the children who are in the public schools.

Thirty-seven States have turned down vouchers. If you vote for the Davis amendment, you are voting for a private school voucher and a voucher only. We do not think that that vote will pass silently into the night. We believe that a vote for vouchers anywhere in the country, especially in this economic climate, will be heard and felt throughout the country, and especially in your own districts.

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

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 2½ minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN), the chairman of the subcommittee.

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, since I was first elected to Congress, I have supported school choice for this city, and now as Chairman of the Committee on Appropriations subcommittee on the District of Columbia, I am excited to be in a position to make this program a reality for the children and the parents of the District of Columbia, working with the gentleman from Virginia (Chairman TOM DAVIS) and the gentleman from Ohio (Chairman BOEHNER).

Mr. Chairman, I ask all Members to support the Davis-Frelinghuysen-Boehner amendment and the underlying bill.

Mr. Chairman, since I was first elected to Congress, I have supported school choice for this city. And now as Chairman of the DC Appropriations Committee, I am excited to be in a position to make this program a reality for the children and parents of the District of Columbia.

The President requested funding for a Choice Incentive Fund within the U.S. Department of Education, of which a portion of the funds would be used for school choice programs in the District. Thanks to Chairman REGULA, I was able to provide $10 million to expand school choice in the District. I am further pleased to report that this proposal has the full support of Mayor Williams, Chairman of the Committee on Education, Libraries and Recreation, Kevin Chavous, and President of the School Board, Peggy Cooper-Cafritz.

Throughout the year, I have worked closely with my colleague and friend, Chairman TOM DAVIS, who chairs the Authorizing Committee that has jurisdiction on this issue, the Government Reform Committee and JOHN BOEHNER, Chairman of Committee on Education and the Workforce to advance this Presidential initiative.

We agreed to move the school choice initiative forward in our respective Committees. Chairman DAVIS has successfully moved the DC Parental Choice Incentive Act through his Committee. And in my bill, we have provided the actual funding.

Mr. Chairman, this amendment would unite these two initiatives together under one bill bringing us a step closer to making expanded

school choice a reality for those that so desperately want and need it.

While we are all supportive of the District Public School System, and we recognize the great progress of the city's charter schools and transformation schools, we believe that even more students can be helped by the additional option. And we are providing new dollars that add, not subtract, from either the DC public or charter schools funding sources.

What is important here is the quality and value of education for every child in this city. And the statistics from the Department of Education on District continue to show disturbing results in student performance on reading, writing, math and other core academics. The need for significant improvements is clear.

The bottom line is that these children will be helped by giving parents more choices for educating their children. Many parents are hopeful that we will act.

One of the arguments the opposing side will make is that this bill does not provide funding for the three-pronged approach the District wants. While that is true, it is not my intention that that be the case when we come out of conference with the Senate. Due to the fiscal constraints of this bill, we were only able to provide for DC Scholarships, but the Senate bill includes additional funding for both public and charter schools as well. I support the Mayor's approach and will work with Chairman YOUNG towards a conference allocation that is sufficient to address all three sectors of education in the city.

I hope members will join with me and support of the leadership of this great city.

Mr. TOM DAVIS of Virginia. I yield 3 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I have good friends on both sides of the aisle and both sides of this position. What does me hurt is the partisanship, some of the partisanship, not from all Members, that I hear from Iraq to the White House politics to the rest of it on an issue.

If we disagree on this issue, that is fine. I personally truly believe that this gives some of our children an opportunity to get out of schools that are crime- and drug-ridden and are being left behind. Not many, if any, Members of Congress, either the House or the other body, have their children in D.C. public schools. Most are in private schools. And yet there are some that would deny poor children, poor families to have the same rights that Members of Congress and other people that are affluent have. I think that is wrong.

The other fallacy is that we are cutting public spending. We are not. Look where we have come from. When many of us dedicated ourselves to improving education, the roofs were so poor they were controlled by the fire department in D.C. Schools had to be delayed. We improved that. We put forth charter schools. We put forth a summer school where we had thousands of children volunteer to go to summer school in D.C., not because they had to, but because they did not want to be left behind. And there is another phase of that that we disagree on. But please do not say we are trying to damage education, because we believe from the bottom of our hearts that this is helping children.

Take a look at the board of education. They had a board of education appointed by Marion Berry where one of the members was in charge of finance and never had an accounting course, never finished high school, but was put there because of a political appointment.

We changed all of that. We have a Mayor, we have a superintendent, we have an active, professional school board, and our schools are improving. Yes, we have got a long way to go, and we have got to work together on both sides of this issue; and I dedicate myself to working with the gentlewoman from the District of Columbia (Ms. NORTON) and the ranking member on that. But please do not say that we are trying to damage education. We disagree on the value of this particular amendment. I personally believe in many areas it will work.

Ms. NORTON. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Mr. Chairman, I would just like to enter into a colloquy with the gentleman from Virginia (Mr. TOM DAVIS) and return to my question.

As I understand the language, and I read it, it says that any religiously affiliated school could get dollars under this program and it can be controlled and connected to a religious organization and it can promote its religious purpose; and then it goes on to say it could hire any number of people who follow their religious beliefs and that they deem necessary and that they can include religious references in its mission statement and other governing documents.

All I am trying to determine is whether or not that is completely wide open, or whether there is a list of some type that either already is approved or would be approved of which religiously affiliated entities could operate schools in the District.

Mr. TOM DAVIS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. FATTAH. I yield to the gentleman from Virginia.

Mr. TOM DAVIS of Virginia. Mr. Chairman, to my knowledge there is no exclusion of any religion, or inclusion. The Secretary of Education is the one that would be able to come forward with a list and make the determination. As the gentleman knows, there have been a number of court decisions along this line, and we feel this meets the mandate of the courts, and it has to meet a certain level.

Mr. FATTAH. Mr. Chairman, reclaiming my time, all of the lawsuits on this matter, or at least the vast majority, have been about the Federal prison system, in which the courts have been, I would say, very lenient in determining what is a religion, and all manner of groups with any number of, I think, what most of us would consider problematic beliefs have been determined to be religions for purposes under the definition by the Federal courts. So would that be the same in terms of how this would operate?

Mr. TOM DAVIS of Virginia. Mr. Chairman, if the gentleman will yield further, we leave discretion with the Secretary of Education. Let me say there have been a number of title VII cases that do deal with education, and that would be the criteria that the Department would meet. But we did not try to micromanage the criteria. They also have to meet certain educational standards, and that would really be the controlling criteria, is meeting educational standards.

Mr. FATTAH. I read the list of the educational standards, all related to education, and I think the gentleman has done a good job on that. I am just concerned about this particular issue, and I guess so that the record can be clear, your position is that there is no restriction in the authorizing language as you have written it?

Mr. TOM DAVIS of Virginia. That is correct. We leave that to the Department of Education.

Mr. FATTAH. I want to enter into the RECORD a report from California, not the earlier report I referenced from Florida, of a school that was set up under the laws of California that received millions and millions of dollars to educate children, and it has now been determined that they were funded and founded and set up by a Pakistani terrorist organization.

I want to enter this into the RECORD, because I think what the concern is here is that if those who believe in witchcraft, those who have antisocial racial views, any number of people who claim to be a religion can set up a religiously affiliated school and benefit through the largesse of this $10 million and pretend that they are educating children, segregate them, as I understand under the gentleman's authorizing language by sex or any other manner, hire only those who believe what they believe, discriminate against anyone else, and determine their own curriculum, that I have a concern about, even if we agree that this was the way to go, that this kind of loophole would be useful to us at this time in our Nation's capital.

[From ABC News I-Team]

BALADULLAH

Nov. 8.—The ABC7 News I-Team has learned that millions of your tax dollars are headed this year, to a group that is connected to an organization founded by a Pakistani terrorist. You are paying for a new system of charter schools, started by the members of an Islamic village in the Sierra foothills called ''Baladullah.'' Dan Noyes has Part Two of this I-Team investigation.

The ABC7 News I-Team has learned that millions of your tax dollars are headed this year to a group that is connected to an organization founded by a Pakistani terrorist. You are paying for a new system of charter schools, started by the members of an Islamic village in the Sierra foothills called ''Baladullah.'' Dan Noyes has Part Two of this I-Team investigation.

Some of these charter schools are here in the Bay Area. We want to be clear from the

start that this is not a story about the Muslim faith. It is about one group of people living just a few hours from the Bay Area, who have ties to a mysterious Pakistani sheik.

The U.S. State Department has listed Pakistani sheik Sayyid Mubarik Jilani as the founder of a terrorist group that has committed dozens of crimes across the country—firebombings, fraud, and assassinations. And in a recruitment tape, Jilani offers to train any American who will join his cause.

Sheik Jilani: ''We shall be helping Muslims wherever they are oppressed, and we wish that you'd extend your cooperation with us in any manner suitable to the cause.''

Jilani also established ''Muslims of America'' to help spread his version of Islam. Late last year, the group moved its headquarters to a village in the Sierra foothills called Baladullah—along with the mobile homes, the airstrip, and the U-Haul franchise.

Male Teacher: ''We move the decimal point in the divisor. How many times to the right?''

The compound has a new charter school. It's a way for the state to provide an alternative form of education, paid for with your tax dollars.

Sharon Brooks, Assistant Administrator: ''We're teaching our children because we want them to be doctors and lawyers and judges and architects. We don't want them to be ditch diggers.''

Student: ''The administrators would not discuss their connection to Muslims of America or Sheik Jilani. So, we asked their attorney about the charter school.''

Doug Hurt: ''It is one small site, it has 25–50 kids at any given time.''

Dan: ''Is that it?''

Dan: ''How about the eleven other campuses for the charter?''

Doug Hurt: ''What interest is that of yours?''

This year—under the name ''Gateway Academy''—the village opened twelve charter schools up and down the state . . . including one in Oakland and in Sunnyvale. All the schools are chartered through the Fresno Unified School District, where officials had expected Gateway to run just a few schools in the area. All those satellite schools came as a surprise.

Jill Marmolejo, Fresno Unified: ''They're running along doing their business and then informing us after the fact, so we told them in the future, before you open any satellites you have to get it approved through us.''

Jill Marmolejo says it appears Gateway Academy has done nothing illegal by opening schools across the state, but it has put a tremendous strain on Fresno School District inspectors. They now have to travel hundreds of miles, to check up on the schools.

Jill Marmolejo: ''We're not specialists in Oakland, we're not specialists in Pomona, so we're relying on them to do the right things.''

And to do the right thing with millions of your tax dollars. Gateway Academy reports it has 1,200 students now, so they will receive more than $5.5 million this year. And that's on top of more than a million they spent last year, setting up the charter schools.

Jonathan Bernstein: ''We have serious concerns about this group.''

Researchers at the Anti-Defamation League have been tracking Sheik Jilani for almost 20 years, and now, they are worried about Baladullah's charter schools. They have no evidence that your tax dollars are headed from a village in Tulare County . . . to the terrorist's base in Pakistan. But, in general, the ADL is concerned about where the charter school money is going.

Jonathan Bernstein: ''We feel like these funds can land up in the hands of extremists.''

The lawyer for Baladullah says the people here are not extremists. And, he denied any direct connection between the village and Jilani—or even the group the sheik founded, Muslims of America.

Doug Hurt: ''In that they are Muslims and they live in America, I would say so, but are they formally connected, is there an entity, no, not as far as I'm aware.''

But the president and treasurer of Muslims of America list their home address as Baladullah. And the secretary of Muslims of America—Khadijah Ghafur—is also the president of the charter schools. That connection between the schools and Jilani's group troubles the principal at the branch in Sunnyvale.

Mazhar Jamil: ''I am surprised. This is the first time I have heard anything like this.''

Mazhar Jamil has run a school on this site for six years—he has just signed on with Baladullah's Gateway Academy. But now, he says he has to rethink that relationship . . . because of the ties between the schools, the village, and the sheik.

Mazhar Jamil: ''We have no connection or desire to be affiliated with anything like that.''

We want to emphasize that Muslims of America has not appeared on any terrorist watch list. Sheik Jilani has, along with his group al-Fuqra. Gateway Academy is the only charter school in the Fresno district that has more than one location, and most of them are outside the county.

As a result of our reports, Fresno Assemblyman Mike Briggs plans to introduce a new bill, so that a group can open charter schools ''only'' in the county where they live.

[From the Naples Daily News, July 18, 2003]

PRIVATE SCHOOL WITH TIES TO ALLEGED TERRORIST GETS STATE MONEY

TAMPA.—Senate Democrats urged Gov. Jeb Bush on Thursday to cut off payment to a school co-founded by a professor accused of being the North American leader of a worldwide terrorist organization.

The school received $350,000 last year through a state program that pays private school tuition for some students.

A February grand jury indictment against Sami Al-Arian, the alleged leader of the Palestinian Islamic Jihad, and seven others says the school was used as a base of support for the organization.

The indictment said the purpose of the organization was ''to assist its engagement in, and promotion of, violent attacks designed to thwart the Middle East Peace Process.'' It said the Palestinian Islamic Jihad is responsible for 100 murders in Israel and its territories.

Al-Arian, who is being held in jail without bail and denies any connections to terrorism, co-founded the school in 1992 and served as its director and chairman of its board.

The school's treasurer, Sameeh Hammoudeh, also was indicted and is being held in jail without bond. He and Al-Arian allegedly encouraged people who wanted to send money to Palestinians to write checks to their school, The Palm Beach Post reported in its Thursday editions.

Last year, the 300-student Islamic Academy of Florida received more than 50 percent of its revenue from the state program, Florida PRIDE, which uses corporate donations to pay for poor students to attend private schools.

''The disclosures that more than $300,000 of this money went last year to a school suspected of terrorist ties raises the frightening specter that Florida's taxpayers may be unwittingly funding extremist organizations intent on the destruction of our nation and its allies,'' Senate Democratic Leader Ron Klein and Senator Dave Aronberg wrote in their letter to Gov. Jeb Bush.

Denise Lasher, spokeswoman for Florida PRIDE, said officials conducted an independent audit of the school after the indictment was released and found no misuse of funds and no connection between the scholarship money and terrorist activity.

She said the school received more than $300,000 in federal grants for computers and its free- and reduced-price school lunch program.

''It was unfortunate that there was someone at the school accused of doing something illegal, but that doesn't mean the school has done something illegal,'' she said Thursday.

But although Florida PRIDE found that all of its scholarship money was going to the school, Hammoudeh was paid for his services as school treasurer, and the indictment states that school supplies and equipment were used in the Jihad operation. It is unknown whether Al-Arian was being paid.

Corporations that donate to the program receive a dollar-for-dollar tax break. The program gave out nearly $50 million in scholarships last year.

Since the program began, large corporations such as WCI Communities Inc., Gulf Power Co., Florida Power & Light and Verizon Wireless have donated to the program, but how much and to which program is not public information.

Critics of the corporate tax credit scholarship program are concerned that there is no government oversight of the schools that take the money. In their letter to Bush, Klein and Aronberg called for a review of the program and the schools.

Under the May 2001 law, the Florida Department of Education cannot dictate curriculum or monitor how students are progressing academically.

But Lasher insisted the schools teachers and students are top notch academically.

Senate President Jim King, R-Jacksonville, jokingly said in May that he could start a school for witches under the law and receive corporate tax credit scholarships.

''The intent of this program was to help poor kids. The intent was never to make opportunistic entrepreneurs wealthy,'' said King, who also ordered a study of the program.

Despite the accountability concerns, Bush remained a supporter, saying last week that it was a ''proven success,'' based on the students receiving the scholarships.

Ahmed Bedier, spokesman for the Muslim advocacy group Council on American-Islamic Relations, said the Tampa school is well respected. He noted that the University of South Florida is also mentioned in the indictment.

But USF, where Al-Arian was a professor and Hammoudeh was an instructor, is not listed as one of the bases of support for the Palestinian Islamic Jihad.

Administrators at the Islamic Academy did not return phone calls Thursday.

□ 1300

Mr. TOM DAVIS of Virginia. Mr. Chairman, I understand the gentleman's concern. Every school has to meet the nondiscrimination provisions that are currently in the law as well, if that gives the gentleman some level of comfort.

Mr. FATTAH. Mr. Chairman, if the gentleman would yield for 10 seconds on that point. The gentleman says here in section 9, notwithstanding any other provision of the law, the school could employ, the participating school may employ anybody that they believe——

Mr. TOM DAVIS of Virginia. Mr. Chairman, if I could ask the gentleman to let me get through my speakers and then we can continue the colloquy.

Mr. Chairman, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. MURPHY).

Mr. MURPHY. Mr. Chairman, I rise today in support of the Davis amendment and, more importantly, for the children of America.

We have had school choice in this country as long as we have had schools, and it is called money. If you have enough money you can choose where your children go to school, the family can choose, and without it the choice is made for the child. Unfortunately, students stuck in substandard public schools receive inadequate education. The harsh reality is that the lower the level of an individual's education achievement, the lower their income earning potential will be.

Study after study in Wisconsin, Ohio, Florida, has shown that given the opportunity to attend better schools, even if only for a few years, children improve their math and reading scores. And in both public and nonpublic schools they both improve when you introduce competition. Increasing a student's educational choices means increasing that student's future job choices.

As a psychologist and a person who has spent 25 years working with children, I call upon this Congress to focus on the needs of children. The city is working to fix the problems and I commend the district's local leaders for advocating on behalf of children. However, comprehensive change does not happen overnight and children do not have time to wait. New school administrators, new school board members, new curriculum, more teacher training, takes time and these children do not have time to wait. Every day that goes by with a child stuck in an ineffective school is one day too many. Every day a D.C. parent has to send their children to a poor-performing school is another missed opportunity for those children to get a quality education, and the children do not have time to wait.

We have an obligation to these children to provide something that works, while at the same time helping public schools. We believe we would be derelict in our duties as Members of Congress if we continue to make children wait too long.

Ms. NORTON. Mr. Chairman, I reserve the balance of my time.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. TOOMEY).

Mr. TOOMEY. Mr. Chairman, I want to thank and congratulate my friend from Virginia because I think this is one of the most important amendments we will debate this entire year. This is a tremendous opportunity for us to give a little bit of freedom to the people who clearly need it the most.

The fact is the Washington, D.C. public school system is not up to par. We know that. The Washington, D.C. school system spends more money per student than almost any other school district in America. Test scores are routinely towards the lower end of the spectrum of test scores across America. We all know this. In fact, we, my colleagues, affluent people in this community, we know it and we act accordingly; because in disproportionate number, what we do is we send our kids to the private schools. Democrats, Republicans, Congressmen and Congresswomen, Senators, administration officials, we send our kids to the private schools. Why do we do that? Because they are better schools and because we can afford it and because we want to give our kids the best possible opportunity in life.

And how dare we deny that same opportunity to people who just do not have the same level of income that we have? How dare we deny these kids the one chance they are ever going to have in life to build the best, most solid educational foundation they can to create the opportunities that they deserve for their futures? I say we dare not deny them this opportunity. Give these kids in the D.C. school system, give them hope, give them a chance and do it by giving their parents a choice.

I urge my colleagues to support this amendment.

Ms. NORTON. Mr. Chairman, I reserve the balance of my time.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE), one of the leaders on the original underlying bill.

Mr. FLAKE. Mr. Chairman, I thank the gentleman for yielding me time.

There has been a discussion about who wants these vouchers. Is there anybody who wants them? I can tell you I just left a meeting in the Rayburn Building, just a few yards away, where there are a few dozen D.C. parents who want these vouchers, who are waiting, pleading, hoping that the vote is right today. One of them gave me this letter written by a little girl named Lapria Johnson. She is 8 years old. She was born as what they call a drug baby. Her mother took drugs while she was pregnant. Lapria was born and her grandmother was told that she would never read.

This is a letter that she just wrote: ''My name is Lapria and I go to Holy Temple Christian Academy. The Washington Scholarship Fund is the only way I can read. I am 8 years old. I have a lot of problems I was born with. Public school said I could not read. I read and my math is great. My handwriting is not so good. But I have an A in reading and an A in math.''

I can tell you that her handwriting is better than mine and she is one that will benefit from this. There are kids all over like Lapria that will benefit from this if we will simply let them. We need to let them.

WASHINGTON SCHOLARSHIP

My name is Lapria and I go to Holy Temple Christian Academy. W.SF. is the only way I can read. I am 8 years old I have a lot of problems I was born with. public school said I would not read. I read and my, my math is great my handwriting is not so good but I have A in reading and A im math

LAPRIA JOHNSON.

Ms. NORTON. Mr. Chairman, I reserve the balance of my time.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 30 seconds to the gentleman from Texas (Mr. CARTER).

Mr. CARTER. Mr. Chairman, I rise in support of this amendment and of this legislation. I just want everyone to know the experience that I had sitting on the committee when the parents and the children were in the audience watching what we did, and to experience the eyes of those children begging us to give them this chance, and those mothers and grandmothers who were crying tears when they saw that they were going to have the opportunity to send their children to schools that would be effective.

It is imperative that we give these people an opportunity. They should have an opportunity to send their kids to a good school.

Ms. NORTON. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I simply want to close for my side with one word. Opposition to private school vouchers is one of the few bipartisan policy issues remaining in our country today. You will seldom find an issue where almost two-thirds of the American people are in agreement. And what they believe, according to all the data, is that money from the public Treasury should not be siphoned off to private schools. Diversion via the Davis amendment would begin that process for the first time in U.S. history. I ask my colleagues to think about the momentous nature of this vote and to vote against the Davis amendment.

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

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. BOEHNER), the chairman of the House Committee on Education and the Workforce and one of the authors of this amendment.

Mr. BOEHNER. Mr. Chairman, let me thank the lead sponsor on this amendment, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from New Jersey (Mr. FRELINGHUYSEN) who has worked closely with us to bring some hope to children who today do not have hope.

Eighty percent of the kids in America go to public schools, and we are doing everything we can to help those public schools improve, and we are all hopeful that they do improve. But we also know that the problems in the D.C. schools are severe. In spite of spending over $10,000 per student, we have the worst schools in America. And what this amendment does is to say let us create a scholarship program for 2,000 of them.

This debate today really should not be about the teachers unions. There is

no diversion of public money here. This debate today is about one thing: the plight of poor kids who lost the lucky lottery of life in terms of who their parents were or what household they grew up in or what school that they got assigned to.

How can we continue to turn our heads and look the other way when we know that children's lives are being ruined because they are consistently put in a school that is not performing? I, for one, cannot look the other way anymore.

Let me tell a story that I think illustrates all of this as best I can illustrate it for all of you. I have been long involved with a group here in town called D.C. Parents for School Choice and the Washington Scholarship Fund. Every year the D.C. Parents for School Choice have a picnic somewhere up here on Capitol Hill, and hundreds and hundreds of mothers, grandmothers, great-grandmothers, come to this picnic with their child hoping that their child's name will be drawn out of a hat for a scholarship.

I cannot go to the picnic anymore. I cannot go. Because when I went to the picnic and I looked into the faces of these women with their children, looking for hope, the only hope they were ever going to have for that child was to get a scholarship to be able to go to a school where that kid would have a chance to succeed. These mothers, grandmothers and great-grandmothers, they were there and they knew that their child, if they did not get that scholarship, the chances for them to succeed were almost nil in these schools.

I sob, and I am doing everything I can not to sob here today. These kids need our help. This is criminal neglect on the part of public policy makers to continue to look the other way when we know that kids are in schools, that they cannot learn, and they are not learning.

I have been in hundreds of schools and so have all of my colleagues. We see these bright young faces in the first and second grade, eager to learn, and then you look around some of these buildings and they have no chance.

Without an education you have no chance at the American dream. These kids need our help. They deserve our help. And when I vote today I will be looking into the face of those mothers, grandmothers and great-grandmothers, and I am not going to disappoint them.

Mr. OSBORNE. Mr. Chairman, during the vote on Representative TOM DAVIS's amendment to the fiscal year 2004 D.C. Appropriations Bill, H.R. 2765, I mistakenly voted ''aye.'' I intended to vote ''no.'' At the time, I was involved in a conference call with constituents. I left the floor after voting on the Davis amendment to participate in the call believing that I had voted in opposition to the Davis amendment. I have heard from hundreds of my constituents who are opposed to voucher proposals. I fully intended to continue my position of opposing all school voucher proposals. I sincerely regret my error.

I did vote in favor of the Norton amendment to strike funding for this voucher proposal. My vote on the Norton amendment is a true indication of my position on this issue.

While I understand the strong feelings behind the prospect of providing voucher to children in the District of Columbia, I have had a longstanding and well-known position of opposing Federal funding for school vouchers. I would much rather see additional investments made in the D.C. public school system than to have funds used in private schools. The D.C. voucher proposal will provide options for a very small fraction of children in the District of Columbia public school system. But every child in the District of Columbia deserves a high-quality education, not just a few thousand. I strongly believe that a high quality education system will only be possible through additional investments to the public school system, rather than by using public funds for private schools.

Mr. GREEN of Texas. Mr. Chairman, I rise today in strong opposition to the Davis amendment to the D.C. Appropriations bill.

Our country has a rich tradition of providing a quality education to every child in America. I am a strong believer in America's public schools. My wife taught in them for more than a quarter century. Many of my family members and friends are public school teachers. My wife and I are both graduates of public schools, as are our children.

My children, Angie and Chris, both graduated from public schools, and went on to attend the University of Texas and Texas A&M, respectively. My daughter attended the University of Texas Medical Branch in Galveston and is now doing her residency in internal medicine there. These are all public schools. I am proud of the adults they have become, and know that they owe many of their successes to the fine educations they've received at these public schools.

So I am disheartened by attempts like this one which seek to dismantle America's public school program. I know that proponents of this measure will argue that students in failing schools deserve better—and I couldn't agree with them more. But vouchers are not the answer.

As many of my colleagues have pointed out, the average voucher covers only a small part of the costs of private school tuition. The vouchers provided in this legislation would not go far enough to help all students attend private schools. Only those with incomes sufficient to cover the remainder of the tuition would be able to truly have a choice. That leaves low-income students that much further behind.

Additionally, vouchers are unproven. The evidence is unclear as to whether students actually do better in private schools than in public schools with smaller class sizes. If we are really committed to providing every child with a top-notch education, we should implement proven reforms in all schools—qualified teachers, small class sizes, updated materials, and advanced technologies.

Ninety percent of America's kids to go public schools. If we're going to keep our promise to these kids, we need to make sure that all of them—not just the fortunate few who can actually afford private schools—receive a quality education.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Virginia (Mr. TOM DAVIS).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Ms. NORTON. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

Mr. WELDON of Pennsylvania. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage in a colloquy with my good friend and the chairman of the subcommittee, the gentleman from New Jersey (Mr. FRELINGHUYSEN), the distinguished chairman of the Subcommittee on the District of Columbia of the Committee on Appropriations, and with the support of the distinguished ranking member, the gentleman from Pennsylvania (Mr. FATTAH).

The colloquy deals with a surprising and very damaging change in Social Security annuities for district firefighters, police, Secret Service agents, Park Police and others.

Mr. Chairman, on October 1, 2002 the above District public service employees were notified for the first time of a reduction in their monthly retirement benefit payments by removing any credit received for military service performed after 1956 pursuant to D.C. Code 5–704(h). In other words, the firefighters and police who expected to have their military service count towards retirement are now being told that their benefits will be dramatically reduced or that they will have to pay back benefits received to account for the calculation.

It is unfortunate and sad to expect the protectors of our Capitol, who also served our country in the military, to be penalized for government's mistake in not notifying them of this administrative change.

Mr. Chairman, if Congress desires to continue to prohibit a military service credit for Social Security contributions, then we have two choices that would permit us to look at our firefighters and police officers with a straight face. We can either restore the military credit for those who were not notified of the change prior to October of 2002 or we can permit them to buy back the benefits they have received by having them submit adjusted payments that were due while in the military.

Mr. Chairman, the harm our public safety personnel will endure from these drastic annuity reductions or penalties will be severe. And I encourage Members to support a correction to the D.C. Code that permits them to manage this terrible mistake. I have committed to work with the distinguished chairman of the subcommittee and the ranking member, as well as the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Maryland (Mr. HOYER) to correct this mistake.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. WELDON of Pennsylvania. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I thank my colleague from Pennsylvania, who has consistently stood a fervent representative of the national fire community, for bringing this issue to our attention. I understand the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Maryland (Mr. HOYER) are working with the gentleman from Pennsylvania (Mr. WELDON) on a stand-alone bill to address this matter and I support his efforts.

□ 1315

AMENDMENT NO. 2 OFFERED BY MR. HEFLEY

Mr. HEFLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. HEFLEY:

At the end of the bill (before the short title), insert the following:

SEC. 136. Total Federal appropriations made in this Act (other than appropriations required to be made by a provision of law) are hereby reduced by $4,660,000.

Mr. HEFLEY. Mr. Chairman, I rise today to offer an amendment to cut the level of funding in this appropriations bill by 1 percent which amounts to $4.66 million. As most of my colleagues are aware, I have offered similar amendments on a number of the appropriation bills, in fact, on most of the appropriation bills.

I want to emphasize particularly today that this is not a reflection on the job that the chairman of committee or the ranking member or this committee has done. In fact, my colleagues have done a good job, I think, of actually allocating less this year than was done last year. So it is not a reflection of that. What it is is a reflection of my deep concern about the deficit that we continue to pile up.

I think it is important to state the affect these amendments that I have offered would have on the deficit if they would be accepted on all the spending bills. Just a tiny 1 percent cut to all of the spending bills, one cent out of each dollar, would reduce the projected deficit by almost 25 percent.

The practical reality of this amendment is that we would save $100 billion if we had passed all of these as we go along. Of course, we have not. I think it is important to state that some of us are very concerned about this deficit and this is the way to do it.

We have to draw a line somewhere. The budget we have for the next year is too large. We can do something about the deficit right now. By voting for my amendment members would be stating that the American taxpayer should not have to pay higher taxes in the future because we could not control our spending today.

Our budget should be no different from the taxpayers' budgets at home. When we have less money, we should spend less money. It is really that simple.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the Federal portion of this bill, as the gentleman from Pennsylvania (Mr. FATTAH) and I already know, is 8.4 percent below last year's level which is about $43 million. It has made it difficult for to us meet the city's priority.

Actually if we had not received the $10 million from the gentleman from Ohio (Chairman REGULA), our allocation would have been 10.4 percent below last year's allocation level.

This amendment, well intended, would reduce the Federal funds to the District by another 1 percent or $4.6 million. The District needs every dollar it can get for programs and priorities of the District. And I urge my colleagues to oppose the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HEFLEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) will be postponed.

AMENDMENT NO. 1 OFFERED BY MR. MANZULLO

Mr. MANZULLO. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. MANZULLO:

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—

(1) to acquire manufactured articles, materials, or supplies unless section 2 of the Buy American Act (41 U.S.C. 10a) is applied to the contract for such acquisition by substituting ''at least 65 percent'' for ''substantially all''; or

(2) to enter into a contract for the construction, alteration, or repair of any public building or public work unless section 3 of the Buy American Act (41 U.S.C. 10b) is applied to such contract by substituting ''at least 65 percent'' for ''substantially all''.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. A point of order is reserved.

Mr. MANZULLO. Mr. Chairman, we can help our struggling manufacturing sector today by increasing the American content of the equipment purchased under this bill from 50 to 65 percent.

This modest increase will cause no real hardship for the District of Columbia. It will be greatly appreciated by our Nation's desperate manufacturers.

Today's Washington Post reported that the vast majority of the 2.7 million jobs lost since 2001 are not coming back unless new jobs are created in novel and dynamic ways.

We need to be proactive on this bill and make it an engine for job growth by buying from our own producers and getting them hiring again.

The people are looking to Congress for action.

From the Washington Post September 3, 2003, it quoted, ''In his Labor Day address (The President) signaled that the loss of 2.6 million manufacturing jobs during his administration had moved to the top of his list of domestic policy concerns.''

Our domestic manufacturing base is being hollowed out right before our own eyes. In 1981 Rockford, Illinois, the largest city of the congressional district that I have the pleasure to represent, had an unemployment rate of 25 percent, the highest in the Nation. Today it is 11.3 percent. I do not want to see a recurrence of what happened in 1981. This summer, two more factories closed down, and we are in danger of seeing our industrial base irreparably harmed.

The Department of Labor employment report for August is out this morning. Manufacturing employment declined again for the 37th consecutive month. That is a record. In 30 days, our Nation lost 44,000 manufacturing jobs, and for the first time in our Nation's history, we have fewer than 10 percent of our jobs in the manufacturing sector of the labor force. That means fewer employees than at any time since 1961, when the U.S. population was 100 million or smaller.

Mr. Chairman, the purpose of this bill is simply to state that, if anything, taxpayers' dollars should be used to buy things that are made in America. The present law today says only 50 percent. This increases it to 65 percent. Why not save our manufacturing jobs with the taxpayers' dollars that are being paid in?

There are other forums where this issue may be raised. We have been advised by the Parliamentarian that this particular amendment is not proper to raise at this time.

Mr. Chairman, I ask unanimous consent to withdraw this amendment from consideration.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. Are there any other Members wishing to offer amendments to the bill?

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: the amendment offered by the gentleman from Virginia (Mr. TOM DAVIS), amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON), amendment No. 2 offered by the gentleman from Colorado (Mr. HEFLEY).

AMENDMENT OFFERED BY MR. TOM DAVIS OF VIRGINIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. TOM DAVIS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 205, noes 203, not voting 26, as follows:

[Roll No. 478]

AYES—205

Aderholt
Akin
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
Everett
Feeney
Ferguson
Flake
Forbes
Ford
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lucas (OK)
Manzullo
McCotter
McCrery
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Nethercutt
Neugebauer
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pitts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOES—203

Abercrombie
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Frost
Gephardt
Gonzalez
Gordon
Graves
Green (TX)
Grijalva
Gutierrez
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
LoBiondo
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Reyes
Ross
Rothman
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Simpson
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Weiner
Wexler
Wu
Wynn

NOT VOTING—26

Ackerman
Ballenger
Burr
DeGette
Foley
Frank (MA)
Janklow
John
Kucinich
LaHood
Leach
Lofgren
Mollohan
Murtha
Myrick
Pickering
Rangel
Rodriguez
Rogers (AL)
Roybal-Allard
Simmons
Sullivan
Waxman
Whitfield
Woolsey
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). The Chair reminds the Members that there are 2 minutes remaining in this vote.

□ 1347

Mr. GREEN of Texas changed his vote from ''aye'' to ''no.''

Messrs. RENZI, BILIRAKIS and GINGREY changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. SIMMONS. Mr. Chairman, on rollcall No. 478 I was inadvertently detained. Had I been present, I would have voted ''no.''

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the remainder of this series of votes will be conducted as 5-minute votes.

AMENDMENT OFFERED BY MS. NORTON

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 203, noes 203, not voting 28, as follows:

[Roll No. 479]

AYES—203

Abercrombie
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Frank (MA)
Frost
Gephardt
Gonzalez
Gordon
Graves
Green (TX)
Grijalva
Gutierrez
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
LoBiondo
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Ney
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Reyes
Ross
Rothman
Ruppersberger
Rush

Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Simmons
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Weiner
Wexler
Wu
Wynn

NOES—203

Aderholt
Akin
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Forbes
Ford
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lucas (OK)
Manzullo
McCotter
McCrery
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Nethercutt
Neugebauer
Northup
Norwood
Nunes
Nussle
Ose
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pitts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sweeney
Tancredo
Tauzin
Taylor (MS)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOT VOTING—28

Ackerman
Ballenger
Burr
Burton (IN)
DeGette
Diaz-Balart, L.
Ehlers
Foley
Janklow
John
Kucinich
LaHood
Leach
Lofgren
Mollohan
Murtha
Myrick
Pickering
Rangel
Rodriguez
Rogers (AL)
Roybal-Allard
Sullivan
Taylor (NC)
Waxman
Whitfield
Woolsey
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). The Chair advises Members there are 2 minutes remaining in this vote.

□ 1401

Mr. SIMPSON and Mr. ENGLISH changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. HEFLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 116, noes 284, not voting 34, as follows:

[Roll No. 480]

AYES—116

Akin
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berry
Bilirakis
Blackburn
Blunt
Bradley (NH)
Brady (TX)
Brown-Waite, Ginny
Burgess
Camp
Cannon
Capuano
Carson (OK)
Chabot
Chocola
Coble
Collins
Cox
Crane
Cubin
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeMint
Diaz-Balart, M.
Doggett
Duncan
Everett
Feeney
Flake
Forbes
Fossella
Franks (AZ)
Garrett (NJ)
Gibbons
Gingrey
Goode
Goodlatte
Goss
Graves
Green (WI)
Gutknecht
Hall
Harris
Hayes
Hayworth
Hefley
Hensarling
Herger
Hulshof
Hunter
Inslee
Isakson
Jenkins
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
Kirk
Lewis (KY)
Linder
Manzullo
McCotter
McCrery
McInnis
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Neugebauer
Norwood
Nunes
Otter
Oxley
Paul
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Ramstad
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Schrock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (MI)
Smith (WA)
Stearns
Tancredo
Taylor (MS)
Terry
Thomas
Thornberry
Tiahrt
Toomey
Upton
Vitter
Walden (OR)
Wamp
Wilson (SC)

NOES—284

Abercrombie
Aderholt
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Bereuter
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Burns
Calvert
Cantor
Capito
Capps
Cardin
Cardoza
Carson (IN)
Carter
Case
Castle
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
Delahunt
DeLauro
DeLay
Deutsch
Dicks
Dingell
Dooley (CA)
Doolittle
Doyle
Dreier
Dunn
Edwards
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fletcher
Ford
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gephardt
Gerlach
Gilchrest
Gillmor
Gonzalez
Gordon
Granger
Green (TX)
Greenwood
Grijalva
Gutierrez
Harman
Hart
Hastings (FL)
Hastings (WA)
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hyde
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kleczka
Kline
Knollenberg
Kolbe
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore
Moran (VA)
Murphy
Nadler
Napolitano
Neal (MA)
Nethercutt
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pombo
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spratt
Stark
Stenholm
Strickland
Stupak
Sweeney
Tanner
Tauscher
Tauzin
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Walsh
Waters
Watson
Watt
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wilson (NM)
Wolf
Wu
Wynn
Young (FL)

NOT VOTING—34

Ackerman
Ballenger
Burr
Burton (IN)
Buyer
Cole
DeGette
Diaz-Balart, L.
Ehlers
Foley
Janklow
John
Kucinich
LaHood
Leach
Lofgren
McHugh
Mollohan
Murtha
Myrick
Pence
Pickering
Pomeroy
Quinn
Rangel
Rodriguez
Rogers (AL)
Roybal-Allard
Sullivan
Taylor (NC)
Waxman
Whitfield
Woolsey
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1410

Ms. JACKSON-LEE of Texas changed her vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. FRELINGHUYSEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THORNBERRY) having assumed the chair, Mr. BASS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2765) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2004, and for other purposes, had come to no resolution thereon.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I am pleased to yield to my friend, the distinguished majority leader, for the purposes of inquiring about the schedule for next week and the remainder of the day, if there is any schedule for the remainder of the day.

So that Members who are gathered here will know, have we had the last vote of the day, Mr. Leader?

Mr. DELAY. I thank the gentleman from Maryland for yielding.

Yes, we have just had the last vote of the day.

□ 1415

The House will convene on Tuesday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We expect to complete consideration of H.R. 2989, which is the Transportation, Treasury, and Independent Agencies Appropriations Act for fiscal year 2004. Any votes called on amendments on this bill will be rolled until after 6:30 p.m.

On Wednesday we will consider several measures under suspension of the rules. A final list of these bills will be sent to Members' offices by the end of the day. We will plan then to consider H.R. 2622, the Fair and Accurate Credit Transactions Act of 2003, and hope to conclude with consideration of the conference report on H.R. 2115, the Vision 100, Century of Aviation Reauthorization Act.

Thursday, as you know, is September 11, and we are currently working on several measures to recognize the second anniversary of the 9/11 attacks. In addition to these measures, which we would expect to have broad bipartisan support on, I would certainly expect to have a moment of silence on the floor of the House and a ceremony similar to the one held in the Rayburn Courtyard last year.

Finally, Mr. Speaker, I would like to note for all the Members, we do not plan to have votes next Friday, September 12.

I thank the gentleman for yielding.

Mr. HOYER. Mr. Speaker, I thank the leader for his information. I want him to know on this side of the aisle we are going to be joining the majority side of the aisle as we reflect upon the tragic loss of some of our fellow citizens and the tragic loss of all of us and our country on that September 11.

Mr. Leader, can you tell me what time on Tuesday Members need to be here to assure themselves that they will be able to offer the amendments on the Transportation-Treasury bill?

Mr. DELAY. If the gentleman will yield further, I would say at least by 2 p.m. on Tuesday, because for Members who are offering the amendments or who wish to be heard in the debate, we will begin consideration of the Treasury-Transportation bill at 2 p.m. in the afternoon.

Mr. HOYER. We had a number of questions, one of which I will ask now because it is in my mind.

Apparently, there is a delegation leaving for Doha Wednesday night. Can the gentleman reflect upon what might be on the schedule for Thursday that they might miss?

Mr. DELAY. If the gentleman will continue to yield, I have heard of delegations leaving on Wednesday night and understand that, and that is why we anticipate a very light load, if any, on Thursday. But I cannot definitively say there will not be votes on Thursday. I think with the two sides of the aisle working together, we can come to some accommodation to where we can properly celebrate, not celebrate, that is not the right word.

Mr. HOYER. Commemorate.

Mr. DELAY. Commemorate the events of 9/11, and still allow Members to go about their normal business.

Mr. HOYER. I thank the leader for that information.

Also, Mr. Leader, I know you did not anticipate this, but when do you expect to attempt to conclude with the D.C. appropriations bill? Will that be done next week?

Mr. DELAY. I would expect that the votes on final passage of the D.C. appropriations bill could very well be held the evening of Tuesday, after the rolled votes on the Transportation-Treasury bill.

Mr. HOYER. I thank the gentleman.

Mr. Leader, we have had a lot of concern and discussions about the child tax credit. It has been 85 days since the President urged us to pass it. Does the gentleman have any expectations that that might be on the agenda, either next week or in the near term?

I yield to the gentleman from Texas.

Mr. DELAY. I appreciate the gentleman yielding and his concern on this issue, and I assure the gentleman that we would very much like to address his concern. But the truth is, we disagree so strongly on this issue, on how to address this issue. We on our side just do not believe that the tax credit should expire right after next year's election and certainly do not want to see it decrease in value over the next several years, so we have continued to insist to the other body in our negotiations that the child tax credit cover more families for a longer period of time with more relief. I just hope very soon that we can convince the conferees that this is the right approach to take.

Mr. HOYER. Mr. Speaker, reclaiming my time, I appreciate the gentleman's position. Of course, as the leader knows, the problem that we have on this side of the aisle with that position and your concern about having the tax credit expire shortly after the election next year, we have not given relief to the 200,000 service personnel who are covered and the 12 million children and 6.5 million families that would have been covered by the Senate amendment that was dropped in conference. So I understand your concern, and I share that concern. On this side of the aisle we do not want the tax credit to expire either.

Having said that, however, we would hope that the 6.5 million families and 12 million children and 200,000 Armed Forces personnel would not be held hostage to our concern about making sure that it does not expire in an untimely way.

Mr. DELAY. If the gentleman will yield further, I share the gentleman's concern; but I do not think that that 6.5 million families would want to see a tax increase right after the election, having enjoyed getting a tax credit and then seeing their taxes go up $300 per child almost immediately. So I totally agree with the gentleman. But this bill, as the gentleman may recall, has very important provisions for the military in it.

I would just urge the gentleman to make his concerns known to those over in the other body that could move this bill within nanoseconds if they had real concerns for those 6.5 million families and the military families in this country.

Mr. HOYER. Reclaiming my time, respectfully the leader and I have a different perspective, as you know. We could move within a nanosecond to include those children today with unanimous consent. Frankly, as the leader well knows, we had a vote of 422 to 0 on much of the military tax relief in terms of moving expenses, capital gains expenses from selling homes and other expenses, the death benefit exclusion from taxes. So all of those items, there is agreement on my side, unanimously, as there was on your side. So the only issue is are we going to hold those two items hostage, the child tax credit and the military, for other items which are much more controversial, both within this body, Mr. Leader, as

you well know, and between the two bodies.

I think probably there is not much purpose in discussing this further, but we would hope that perhaps we could try to move those items on which we have agreement and continue to work on those that we do not forge agreement on. But we ought not to, in light of our disagreement on some things, damage those folks.

Lastly, let me make an observation. I agree with you, Mr. Leader, that those families, those 6.5 million families, would not want to see a tax increase next year after the election; but if you ask them whether they wanted a $300 to $600 credit between now and the next election or simply stay at the same rate ad infinitum, I have a feeling there is little doubt they would say, well, we will take the help for a year, even if you do not give it to us permanently.

Let us go on perhaps to the energy bill, Mr. Leader. You did not have that on your schedule. Obviously there was, as you know, a motion to instruct yesterday so that we could try to address the problem that all of us saw dramatically in the blackout that occurred on the 11th of August. Would the leader tell me what his perspective is on the energy bill?

Mr. DELAY. If the gentleman will yield further, the gentleman is very aware that, as he just stated, we just appointed conferees last night. They had their first conference this morning. They are working as hard as they can to get this bill out as soon as possible.

The gentleman knows that the Nation's energy crisis is not just about electricity. Gasoline prices are at an all-time high, natural gas prices are at an all-time high, natural gas supplies are at an all-time low. This is not the time to do piecemeal work or patchwork in putting together a bill. We need a comprehensive energy policy to meet the urgent needs across this country and across the spectrum of energy sources.

I might say that this House has tried for the last 3 years to pass a comprehensive energy package; and we are now only two votes away, a vote in the House and a vote in the Senate, to being able to put together a good package that we can send to the President, and I am hoping that work can be done expeditiously and we can see a bill in the next 2 to 3 weeks.

Mr. HOYER. I thank the leader for his observations on that.

Two additional questions. The next one would be the Medicare prescription drug bill. Obviously this is a very contentious piece of legislation, with different perspectives on how we can provide seniors in particular with relief on the prescription drug costs.

Can the gentleman tell us what you believe the status of that to be and when we might expect that bill, the conference report, on the floor of the House?

Mr. DELAY. If the gentleman will yield further, the gentleman knows, as we all do, that improving and strengthening Medicare is going to be one of the toughest conferences that we will face. There are a lot of issues, very complicated issues, that have to be dealt with.

□ 1430

The chairman of the conference, the gentleman from California (Mr. THOMAS), is working with all parties on the conference and it just takes a lot of time to work through these issues. We have already worked through some. I happen to serve on the conference. We have worked through some and progress is being made. But our Members need to stay focused. The Members of the other body need to stay focused in order for us to get this done before the end of this session. But as far as predicting when we will be able to do that, that would be very difficult for me to do. But I hope that everyone will work together and get something out before we adjourn for this session of the 108th Congress.

Mr. HOYER. I thank the gentleman for the information and the observation.

Let me close. We talked about Thursday, September 11, when we will come together, controversies that we have discussed. The significant differences we have discussed with respect to how to solve the problems that confront this country will I think be put aside by all of us on September 11 as we come together, as we did on that September 11 evening when we stood together, you and I, shoulder to shoulder, and we sang God Bless America. At a time of tragedy we came together with resolve and without partisanship, resolve to confront the terrorists that afflict this world, this global community, and to make our country safer and more secure.

Mr. Leader, on Thursday at what point in time do you expect us to end our session on Thursday and to participate in such both collective remembrances as we may have and individually to participate in remembrances?

I yield to my friend.

Mr. DELAY. I appreciate the gentleman's words and they are heartfelt and honest and straightforward, and I greatly appreciate those words.

I would like to give the gentleman a time, but there are two reasons; one is I am a little concerned at this moment that if I gave a projected time of being through on Thursday, Members would leave on Wednesday. We just saw what has happened to this House where some, almost 30 Members were not here to vote on the last pieces of legislation, of both parties. And it greatly concerns me that when we give notice that we might be leaving, Members take advantage of that and move on and leave the Chamber and are not here to vote like they should be. And so I do not know.

Secondly, I would hope, and we have been in touch with your offices, I would hope that we would continue to work today and through the weekend to put together the right kind of commemoration of the day so that we exhibit to the country that the people's House has great concerns about the events of 9/11 and the events that have followed 9/11 and we want to express the feelings and the emotions of the American people on this very important day.

Mr. HOYER. I thank the leader for his comments and I know that the gentlewoman from California's (Ms. PELOSI) office will cooperate fully in that objective, as will mine and others, and we look forward to participating in a very positive way but a very solemn and prayerful way as we remember that loss and the challenge that lies ahead.

ADJOURNMENT TO TUESDAY, SEPTEMBER 9, 2003

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Tuesday, September 9, 2003, for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

AMENDMENT PROCESS FOR CONSIDERATION OF H.R. 2622, FAIR AND ACCURATE CREDIT TRANSACTIONS ACT OF 2003

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

Mr. DREIER. Mr. Speaker, the Committee on Rules is planning to meet next week to grant a rule for the consideration of H.R. 2622, the Fair and Accurate Credit Transactions Act of 2003, which may require that amendments be printed in the CONGRESSIONAL RECORD prior to their consideration on the floor.

The Committee on Financial Services ordered the bill reported on July 24 and filed its report with the House yesterday. Members should draft their amendments to the bill as reported by the Committee on Financial Services.

Members should also be noted to use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate form. Members are also advised to check with the Office of Parliamentarian to be sure that their amendments comply with the rules of the House.

AUTHORIZING THE USE OF THE ROTUNDA OF THE CAPITOL FOR THE UNVEILING OF THE PORTRAIT BUST OF VICE PRESIDENT DAN QUAYLE ON SEPTEMBER 10, 2003

Mr. NEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 63) authorizing the use of the rotunda of the Capitol for the unveiling of the portrait bust of Vice President Dan Quayle on September 10, 2003, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution.

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

Mr. BRADY of Pennsylvania. Mr. Speaker, reserving the right to object, and I will not object, I yield to the gentleman from Ohio (Mr. NEY) for the purposes of explaining the resolution.

Mr. NEY. Mr. Speaker, I want to thank the gentleman from Pennsylvania (Mr. BRADY), one of our distinguished members of the Committee on House Administration for yielding to me.

Mr. Speaker, I rise today in support of Senate Concurrent Resolution 63 which authorizes the use of the Rotunda of the Capitol for the unveiling of the portrait bust of former Vice President Dan Quayle on September 10, 2003.

The mainstay of the Senate's fine arts collection is the Vice Presidential bust collection. In 1886, the Joint Committee on the Library began commissioning busts to be sculpted of the Vice Presidents to occupy the niches that surround the Senate Chamber. Once these spaces were filled, new additions were placed throughout the Senate wing of the Capitol.

The collection acknowledges the patriotic service performed by each individual who has served as Vice President and pays tribute to the Vice President's role as President of Senate. It also provides a unique survey of American sculpture for the 19th century to the present day.

The Senate currently maintains over 80 sculptures by some of America's preeminent artists, commemorating many of the great figures of our national history.

Born on February 4, 1947 in Indianapolis, Indiana, Dan Quayle was named after James Danforth, a longtime Quayle family friend killed in World War II. Mr. Quayle's career as a dedicated public servant began in 1971 when he became an investigator of the Consumer Protection Division of the Indiana Attorney General's Office. Later that year, he became an assistant to then-Governor Edgar Whitcomb.

Dan Quayle was elected to the U.S. Congress from Indiana's Fourth Congressional District in 1976. Then in 1980, at age 33, Mr. Quayle became the youngest person ever elected to the U.S. Senate from the State of Indiana. During his tenure in the Senate, Mr. Quayle became widely known for his expertise and legislative accomplishments in the areas of defense, arms control, labor, and human resources.

As a Senator he served on the Committee on Armed Services, the Committee on the Budget, and the Committee on Labor and Human Resources, and became widely respected by colleagues on both sides of the aisle for his legislative skill and intelligence.

In 1982, Mr. Quayle authorized the Job Training Partnership Act, JTPA, one of the most significant pieces of social legislation passed during the Reagan Presidency.

In August 1988, at the Republican National Convention in New Orleans, George Bush called upon Mr. Quayle to serve as his Vice Presidential running mate in the general election, which George Bush went on to win.

Dan Quayle was sworn in as the 44th Vice President of the United States on January 20 of 1989 and served with distinction in that capacity over the following 4 years.

Former Vice President Quayle is widely regarded as one of the most active Vice Presidents in our Nation's history. He made official visits to 47 countries, was chairman of both the President's Council on Competitiveness and the National Space Council, and served as President Bush's point man on Capitol Hill.

Mr. Quayle's tenure as Vice President is notable for his principle, leadership, integrity and patriotism. Therefore, I am honored to bring this resolution to the House floor. I would like to thank Senator TRENT LOTT, who is my counterpart as the chairman of the Senate Rules Committee, for introducing and passing this measure in the Senate. I would like to thank the gentleman from Pennsylvania (Mr. BRADY) for being here today on this bill.

Mr. Speaker, I urge full support of this resolution.

Mr. SOUDER, Mr. Speaker, I am honored to rise today in strong support of S. Con. Res. 63, due acknowledgement of my fellow Hoosier, predecessor in the House, and friend—Vice President Dan Quayle.

Dan was a precocious politician. In 1976, he was elected to Congress at the age of 29 and served in the House of Representatives for two terms. Since 1994, I have had the distinct privilege to represent this same constituency. Having defeated three-term Senator Birch Bayh, Dan became the youngest Hoosier ever to serve in the Senate. Appropriately, his election to the upper chamber coincided with President Ronald Reagan's conservative revolution of 1980.

While he may at times have been the unfair subject of liberal derision, Americans always knew that Dan would stand firm against the radicalism of Hollywood's ersatz politicians. Dan is committed to family values, and anyone familiar with our 44th vice president knows that his family has always been paramount—irrespective of the demanding positions that he has held.

Always remembering his Hoosier roots, Dan never sought out the salons of Georgetown, became seduced by the ''image is all'' Siren's song of politics, or succumbed to the confines of the Beltway mentality. His foundation was his faith in God, his love for his family, and his patriotism.

As one of the most active vice presidents in history, Dan traveled to 47 countries, served as the President's advocate on Capitol Hill, and chaired the National Space Council. At all levels of office, he promoted a strong national defense, economic growth and the revitalization of America.

Faithful, loyal and humble, Dan Quayle continues to be a model of service to all Americans. I look forward to the unveiling of the portrait bust on September 10, 2003, and to celebrating the commitment of this great American patriot to our country.

Mr. BRADY of Pennsylvania. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Senate Committee on Rules and Administration is authorized to use the rotunda of the Capitol for the unveiling of the portrait bust of Vice President Dan Quayle on September 10, 2003. The Architect of the Capitol and the Capitol Police Board shall take such action as may be necessary with respect to physical preparations and security for the ceremony.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

Mr. RUPPERSBERGER. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk will report the motion.

The Clerk read as follows:

Mr. RUPPERSBERGER moves that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

1. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides immediate payments to taxpayers receiving an additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.

2. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides families of military personnel serving in Iraq, Afghanistan, and other combat zones a child credit based on the earnings of the individuals serving in the combat zone.

3. The House conferees shall be instructed to include in the conference report all of the other provisions of the Senate amendment and shall not report back a conference report that includes additional tax benefits not offset by other provisions.

4. To the maximum extent possible within the scope of conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and the families of the astronauts who died in the *Columbia disaster*.

5. The House conferees shall, as soon as practicable after the adoption of this motion, meet in open session with the Senate conferees and the House conferees shall file a conference report consistent with the preceeding provisions of this instruction, not later than the second legislative day after adoption of this motion.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. RUPPERSBERGER) and the gentleman from Arizona (Mr. HAYWORTH) each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I have not come to the floor today to carry someone else's torch in partisan battle. I am not here to fight a political battle just for the sake of fighting one. I am here because we need to get past the idea of Democrats versus Republicans and cut to the chase.

I do not have to convince anyone here today that we need a child tax credit. That is not the battle. The battle is whose version of a child tax credit this Congress will send to the President for signature. And I am here to argue that the Senate version simply makes more sense. We are facing a troubled economy, rising unemployment numbers and an exploding deficit caused by tax cuts that is just not working. We are fighting a war on terrorism, a war in Afghanistan, and a war in Iraq. We have our servicemen and -women deployed throughout the world. We are trying to do everything and we need to focus on our priorities.

One thing we need right now is a child tax credit for all families, including military and veteran families, including the families of manufacturing workers, farmers, teachers, steelworkers and restaurant workers. We need to include families who have not benefited from the tax cut plan because they did not get dividend or capital gains relief from this administration's tax cut, families who need this child tax credit now to pay for housing, clothing, food and health care.

Now, I have been listening to arguments from all sides. Last night I heard some of my colleagues from the other side of the aisle say that the House's version of the child tax credit does provide for all families. But this is not what the bill says. The House version does not cover all families. My colleagues on the other side of the aisle said that their bill provides for military families. But the House version does not provide specific child tax credit relief for military families. Only the Senate version does this. And the House version is expensive. It will cost over $80 billion, which will only balloon the deficit, and we simply cannot afford that right now.

We need to be more fiscally responsible. We need to find solutions that fix problems without creating new ones. And the Senate version of the child tax credit does this. It provides tax relief for all American families and it does it without adding to the deficit. It is fully offset and that is more fiscally responsible.

The reality is we could not have an unlimited pot of money for everything that we want or need. We have to make choices among tough priorities, and that is our job. But the House passed a tax law in May that left 6.5 million hardworking taxpaying families without a child tax credit. And we need to fix that and we need to fix it now. There has been a lot of debate and rhetoric about the House and Senate versions of the tax credit bill. I think debate is healthy, but I think the rhetoric has been misleading.

□ 1445

Let us get to the facts. My colleagues on the other side of the aisle say we already passed a tax credit bill. We did, but it is too expensive and the wrong bill. We need the Senate version. The Senate version focuses solely on giving the 6.5 million families the child tax credit relief they need. The Senate version fixes the problem created by the last tax cut without creating more problems. The Senate version expands the child tax credit and provides relief specifically for military families, and it does not cost more money.

The House version will cost over $80 billion. This will only add to our exploding deficit, and it does nothing to help our economy. The House version is not fiscally responsible.

The critical question here is which version of a child tax credit helps military families more. My colleagues on the other side of the aisle argued last night that their bill provides for military families. That is true. There are military benefits in the House version of the Child Tax Credit bill, but the House version does not include a specific child tax credit benefit for military families.

Instead, the House leadership has taken provisions from a completely different bill and thrown them into this bill. Military fairness is something I will always fight for, but we need to tackle the child tax credit problem now. The House bill does not do this for military families.

Remember, none of the provisions in the House version provides specific child tax credit relief for military families. Only the Senate version does that. Only the Senate version considers combat pay in the formula which means that military families will receive larger tax credit relief. That is not rhetoric, that is fact.

I have to ask my colleagues what message are we sending to military families. The tax cuts signed into law May 2003 cut major veterans programs, including health care and housing. These cuts will total $14.6 billion in benefits over the next 10 years. We have had proposed cuts to imminent danger and family separation pay, and I am very disturbed about this.

While we were away on our August break the Department of Defense put out and attempted to cut combat pay and pay for our families that are separated. We have our American service people over in Iran and Iraq putting their lives on the line. We need to do whatever we can to support them, and for them to be over there protecting our freedom and liberty and to cut any of their combat pay or their military family separation pay is wrong.

I have a letter, after hearing about this, that I sent to Secretary Rumsfeld, and I want this to be made a part of the record, asking him not to do this, that it is wrong, and I want to make this a part of the record, but to this date, I have received no response from Secretary Rumsfeld or the Department of Defense, but this is something we have to make sure we stay on top of.

I will insert the letter that I referred to earlier at this point.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 14, 2003.

Hon. DONALD H. RUMSFELD,
Secretary of Defense, The Pentagon, Washington, DC 20301.

DEAR SECRETARY RUMSFELD: I am very disturbed by recent press accounts of the Pentagon's attempt to decrease both imminent danger pay and family separation allowances. I am asking you for a quick response to my inquiry.

We have over 148,000 troops in Iraq and 9,000 troops in Afghanistan, many military families rely on this pay to help make ends meet when their loved ones are away serving our country and fighting for our freedom. I was shocked to learn that as part of the Pentagon's interim budget request, there was a recommendation to return to the lower rates of special pay pending further inquiry by military experts. This sends the wrong message to our soldiers and their families. It says to them that the Pentagon does not care about their well being. It suggest that their efforts in Iraq and Afghanistan are no longer dangerous. In my view, we cannot let our soldiers and their families feel like we do not understand and appreciate what they are going through.

Our troops face daily guerrilla attacks. They face unbearable temperature, and they have to deal with missing their families and loved ones. This is not the time to reduce their special duty pay.

As Congress goes to conference on the Defense Appropriations bill, I hope that you will not proceed with the Pentagon's combat pay reduction recommendation and instead submit a request to Congress for additional funding so that we can honor our soldiers abroad and their families at home. I would also request that you support the Senate language that calls for making the increase in combat pay permanent. These men and women make a huge sacrifice and we need to make sure that they receive all the resources and compensation they need to ensure that their families are well supported.

Thank you for your time and I look forward to a speedy response to our letter.

Sincerely,

C.A. DUTCH RUPPERSBERGER,
Member of Congress.

Why is this occurring? Because we do not have the money. The tax cut is not

working, but we cannot take it out on our military families.

We also had a $200 million cut to Impact Aid, denying military school children a decent education, again because we do not have the money. We need to reprioritize where we are putting our money, and after all these cuts, we are denying 200,000 low-income military personnel a child tax credit. That is wrong.

What message do we want to send to our service men and women and their families? The House version does nothing to help military families specifically. Only the Senate version does this, and it does it without increasing the deficit.

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

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

I welcome my colleague from Maryland. It is the first chance, Mr. Speaker, that I have had the opportunity to engage my friend in debate on the floor of this House, though on a personal note I certainly appreciate the gentleman's friendship and welcome him to the floor, not to rehash rhetoric but to champion and highlight some respectful differences in policies.

First of all, when it comes to the priority of military families, I do not know anyone in this House who does not believe our fighting men and women should have the best equipment, the best opportunity to succeed and the best for their families, and when they leave the military, the best care.

It is interesting that my friend during this debate, which is on a motion to instruct in terms of the tax credit and the child tax credit, would spend much of his time talking about the military and I welcome that because I think we should always have that scrutiny, but let me respectfully suggest that tax policy does not occur in the vacuum, and what is most notable about the question confronting us today are the things that my friend from Maryland failed to say.

First and foremost, Mr. Speaker, the House should be reminded that under current policy, 40 million tax filers in this country pay no income taxes, and of that group, many of those folks with whom my friends on the left say they are very concerned, many folks in that category receive payments from the government far more generous than anything outlined in the child tax credit.

Four letters, Mr. Speaker, E-I-T-C, earned income tax credit, and it is interesting because on previous occasions when we have addressed the topic, no matter whom might make the motion here, it is as if historical and financial amnesia envelops my friends on the left. Because the thing is right now poor folks, who are hardworking people, who are paying payroll taxes, who may not pay income taxes, they are eligible for payments. However much it is a fair question, Mr. Speaker, let us deal with specifics.

For someone earning a combined salary or wage of $10,000, who is the head of the household with two children, that head of household is eligible for a refundable earned income tax credit of over $4,000. Mr. Speaker, that is current law. That exists right now.

So the question becomes if that type of effort is being made right now, why the cry that somehow what the House passed is lacking? Again, my colleagues will recall that I said it is notable what is omitted from the argument of my friend from Maryland. Let us take a closer look at their motion to instruct on this child tax credit.

This motion to instruct actually allows the child tax credit to drop from $1,000 to $700 immediately following the 2004 election. In other words, Mr. Speaker, for these families, bingo, a tax increase of $300 per child. What we have passed in the House ensures the child credit will remain at the $1,000 per child level throughout the decade.

The motion to instruct that my friend offers does not eliminate the marriage penalty and the child credit until the year 2010, and even then it does so for 1 year. Temporary relief means that when the pendulum comes back, thereto is a tax increase.

Under the motion offered by my friends, millions of children will be denied the credit because the parents are married. What we have passed in this House benefits middle-income families by taking care of this problem immediately.

My friend touched on the military concerns, as I heard earlier, and I think it is important. He asked for specifics. What have we done in terms of tax legislation to help those in the military? Military families, including those who are deployed abroad, are already receiving a refundable child credit and will continue to receive a refundable child credit under our House-passed bill. The motion they offer to instruct would only increase the refundable child credit for some families by allowing them to take into account tax free income when they compute their refundable credit.

The House-passed bill, Mr. Speaker, what we have passed in this House, provides more tax relief to military families because it includes some $806 million of military tax benefits. These provisions have already passed our House. They await action in the other body. Let me articulate for my colleagues what some of those provisions are. They include capital gains tax relief on home sales, tax free death gratuity payments, tax free dependent care assistance for members of the military. These provisions passed by this House await action in the other body.

The fact is we have a child tax credit that reaches out to America already, and the fact remains that through the earned income tax credit, the very people who some in this Chamber claim are forgotten are, in fact, helped already in existing law.

Mr. Speaker, facts are a stubborn thing. This is not an isolated incident, occurring in a vacuum. My friend from Maryland is right to this extent. It should not be our attempt today to score debating points, but it is our mission in the Congress of the United States to embrace sound policy. We have taken steps to help those who find the challenges of work and who find that they are on the lower end of the socioeconomic scale, but the notion of tax credits for those who pay no income tax is something that deserves scrutiny, especially in the full light of what this government and what this House and what this Congress have already done.

That is why I would invite my colleagues to respectfully reject the arguments of my friends and vote no on this motion to instruct.

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

Mr. RUPPERSBERGER. Mr. Speaker, I yield myself as much time as I may consume.

First, the gentleman from Arizona has made some good points. His rhetoric is excellent. However, I would like to get into the facts again.

To begin with, the 40 million people who are not covered do pay taxes. They pay property taxes. They pay payroll taxes, Social Security taxes, sales taxes. This is not a bill that is fair for all.

Secondly, the issue on fiscal accountability. I never thought, as a Democrat, I would be here asking my colleagues in the other party, on the other side of the aisle, to be more fiscally responsible. If my colleagues look at the two bills, we cannot afford this bill. The Senate bill has a setoff. It makes sense. We have enough fiscal problems right now, but if they are serious about military fairness, which we all are, and we all agree that we are, the Senate bill is at the desk right now. Let us bring it up and let us vote on it.

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

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

I think the point remains and, again, what has been left out of the discussion is existing tax policy. Nobody said the working poor do not pay taxes. What we said was we are offering help already, and to somehow willfully blind ourselves to the case of the head of household making $10,000 a year getting a refundable earned income tax credit of over $4,000 is to be, I believe, derelict in our duties to recognize the policy that already exists, and that is what we should remember today, that we have those programs in place to help the working poor.

To the extent my friend from Maryland champions what the other body has done and what he says is fiscal responsibility, I would simply point out there are tax increases which abound

in what came out of the other Chamber. When my colleagues move to reduce the child credit from $1,000 to $700, after the next election, they have just increased taxes on the American people, Mr. Speaker, and here I guess is the ultimate paradox.

If it is so wrong to reduce taxation, if it is so wrong, if we accept my friend's logic, that somehow it imperils growth or fiscal accountability in the country at large, why any motion to instruct? Why not just a straight ''no'' vote from my friends on the left? The logic escapes me, but the truth does not, and it is this: The working poor are championed under existing policy by the earned income tax credit. I respectfully disagree with my friend because I believe by reducing taxes, we can actually increase economic growth, and as we saw and it is no respecter of parties, on a nonpartisan basis for Jack Kennedy in the 1960s, for President Ronald Reagan in the 1980s, total tax receipts to the government actually increase when there is more economic activity.

□ 1500

On this motion to instruct, we are ignoring the realities of what would be a tax increase following the 2004 election. Likewise, we are ignoring a policy that in previous days in this Chamber was championed by my friends in the minority, the earned income tax credit.

Again, Mr. Speaker, we have to end this selective amnesia, understand the full picture.

And in that spirit I respectfully request a ''no'' vote on the motion to instruct.

Mr. RUPPERSBERGER. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, just to respond to my friend, the gentleman from Arizona (Mr. HAYWORTH), I think there has been some debate about refundability and about the tax credit that the Senate bill stops after 1 year.

Both sides of the aisle I think have misinterpreted this to an extent based on some of the debates that I have heard. We already have a law in effect that the President signed. That law is automatic. And after this year the refundability automatically kicks in. That is what the law says. Those are the facts.

So let us not confuse it. I heard the colloquy before we took the floor, an argument that the other side has been using. It is not going to stop. It kicks in automatically, and that is the law. And that is something that is important. That is fact.

Secondly, if we are talking about fiscal accountability, again, the Senate bill has the set-offs. This bill does not.

We are in a difficult time in this country right now. We need to be fiscally responsible. And I will say it once and I will say it again: I think it is extremely important that we work on both sides of the aisle as a team to get control of this economy and to do what is right.

The Senate bill has the off-sets that are necessary for this child tax credit bill. This House version will cost us $80 billion. We cannot afford that.

Mr. Speaker, I yield 2 minutes and 15 seconds to the gentleman from California (Mr. CARDOZA).

Mr. CARDOZA. Mr. Speaker, I rise in support of the motion to instruct by my friend, the gentleman from Maryland (Mr. RUPPERSBERGER), the home State of my alma mater.

I rise to express my disappointment that there has been a refusal of this House to enact what I believe to be a sensible and fair child tax credit for 6.5 million working families, many of them members of the military who we need to protect as they protect us.

Over the August recess, a large number of people in our country went to their mailboxes and found the first installment of the child tax credit. That was good news to them.

Unfortunately, another large group of people went to their boxes but found them empty. I can imagine no excuse for not getting these families their fair share.

In my district alone, nearly 35,000 families, 65,000 children who live in them, were excluded from this benefit. Nationwide that adds up to 12 million children deliberately left behind.

We are talking about working families, as the gentleman from Maryland (Mr. RUPPERSBERGER) said. We are talking about those who pay taxes, who love their children, and aspire to better lives, as we all should.

By excluding these families from the child tax credit, the majority in this Congress is essentially telling them that the equality of opportunity is a myth in America.

A bipartisan Senate bill that has been discussed would have helped these 12 million children who were left behind. It passed overwhelmingly on a bipartisan basis in the other body, but was not allowed to become law.

Time and time again this bill has been defeated on a party-line vote in this House.

I am particularly dismayed by the fact, as I said before, that 262,000 military families have been denied this expanded child tax credit.

Mr. Speaker, it is time for the President to impose some compassionate conservatism on his side of the aisle for the sake of hard-working American families.

Mr. Speaker, we are all aware of the inadequacies in funding in the No Child Left Behind education program. Let us ensure that we do not leave them behind again by denying them a tax credit that they deserve.

Mr. RUPPERSBERGER. Mr. Speaker, may I request the time remaining on both sides.

The SPEAKER pro tempore (Mr. CARTER). The gentleman from Maryland (Mr. RUPPERSBERGER) has 17 minutes remaining, and the gentleman from Arizona (Mr. HAYWORTH) has 20 minutes remaining.

Mr. RUPPERSBERGER. Mr. Speaker, I yield 6 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, this is a terribly important issue. We have to ask ourselves, have we no shame? This is the people's House, where we have provided trillions of dollars to the very wealthiest families in America, those who need it the least, and yet have denied child tax credits to the working class families who need them the most.

Twelve million children were denied this July when the checks went out. Three months ago, on June 5, the Senate overwhelmingly passed a measure to immediately give an increased child tax credit to 36 million working families, including the families of 262,000 military children that were deliberately left out of the $350 billion tax cuts that the House Republicans passed. The Senate was supposed to be the aristocratic part of this Congress, yet they understood that it was wrong to provide $350 billion out of a total of trillions of dollars of tax cuts to the wealthy and leave behind so many working-class families.

Now, I understand that the Speaker of the House said that we are not taking care of these families because, quote, first of all, they do not pay taxes. Well, the fact is they do pay taxes. They pay payroll taxes. Seventy-five percent of the families in this country pay more payroll taxes than they do income taxes. They pay into the Social Security and Medicare trust funds. Of course, its those trust funds that we are having to borrow from in order to pay for these tax cuts. Add the interest together, and recognize the fact we are not going to sunset these tax cuts over the next decade; we are talking about over $4 trillion in tax cuts. Yet we cannot find $3.5 billion. What is that, about one-twentieth of 1 percent of all the tax cuts that we have passed? But we cannot provide for 12 million children of families that are earning less than $26,000 a year.

It does not make sense. It is not right. Yet in July the Treasury Department sent out checks for this expanded tax credit and excluded 6 million families. Now it is time for the President to impose some compassionate conservativism on House Republicans for the sake of these hard-working and military families and for the sake of our economy, because that money is going to get spent. If you are earning millions of dollars, you do not need to spend your tax cut. If you are earning less than $26,000, you are going to spend your tax cut immediately. In fact, this September they would have been spending their tax cut on buying more jeans and buying bookbags and all the kinds of school supplies that they need to be able to buy, yet they did not get that money. The wealthy sure got their money on time.

The other thing is, and what is particularly grating in what the House Republican leaders have done, is that

there are 262,000 children of military families that were denied the expanded tax credit because we are blocking passage of the Senate bill; 200,000 men and women serving in Iraq or other combat zones. Now, what is important to understand is that if we do not accept the Senate version, it leaves in place current law under which families will have tax increases, because combat pay is not counted for purposes of the child tax credit.

For example, an E5 sergeant with 6 years of service and two children is paid $29,000 a year. Generally, both of his children would have been entitled to the full $1,000 tax credit. But if he goes to combat for 6 months, his credit would drop to $450 under the House bill. The Senate bill fixes that. It is one of the reasons the Senate bill should be passed.

Now, we want to get this economy going, too. We see the numbers, too, with 93,000 more jobs lost. We have now lost more than 3 million jobs since President Bush took office. It is the worst record since Herbert Hoover. Imagine. Under the Clinton administration more than 23 million new jobs were created. We have lost 3 million since President Bush has been in office. We want to create jobs. And one of the ways to create jobs is to put money in the hands of people who need to spend that money, and that is the working class. So that is why we need to pass this Senate bill.

Let me just conclude by making a point about the fact that we now have a deficit of over $400 billion this year. It will be almost $.5 trillion next year. What that means is that families are going to be saddled with a debt tax of almost $5,000 per family by 2011 just to pay interest on the debt that we are creating.

In addition, the last point, of the 12 million children left behind, 178,000 are children of farming families, 567,000 are children of nurses or orderlies, 337,000 are children of teachers, and behind disproportionately are minority children, with 2.4 million African American children and over 4 million Hispanic children. These are families that need the help. They are hard-working American families. They deserve it. Let us give it to them. Let us pass the Senate version.

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

Mr. Speaker, I appreciate the preceding two speakers from the other side. A few points need to be brought out because there are some classic misimpressions at work here in the House. And for the American people to understand really what is going on in terms of tax fairness, we should make these points.

Number one, no one undervalues our people in the military. They do not put on their uniforms with partisan designations. This is one fact that should be understood. Combat pay is tax free. Mr. Speaker, let me repeat that: combat pay is already tax free.

And while I heard both my friend from Virginia and my friend from California speak of going to the mailbox in July, no one on the other side, not a single speaker has refuted the point that for working folks who do pay taxes in terms of the payroll tax there already exists an earned income tax credit, taking into account the challenges of the working poor.

And the fact is if those constituents take advantage of existing law, a head of household with two kids earning only $10,000 a year, this April, after filing an income tax form on which he paid no income tax, but taking into account his other taxes, that head of household, that family, those children would have received in excess of $4,000.

Mr. Speaker, the contention remains intact: facts are stubborn things. And then to say that people are left out, to ignore the funds available that this government has made available precisely to the people who need the help, and at the same time, under a curious labeling of fiscal responsibility end the ability to continue the per-child tax credit at $1,000 per child per year, to change that and reduce that immediately following the next election, which is what the motion to instruct does, Mr. Speaker, not only leaves the American public with the wrong impression, it is dangerously flawed policy.

The question was where is the compassion? Compassion, in fact, can coexist. The earned income tax credit, already a part of our tax policy, already a part of lending a hand up rather than a hand out, helps those people. It exists today. Again there is the strange paradox of attacking tax relief and yet saying, well, we will offer it in this limited form.

On all arguments, on all counts the motion to instruct is woefully inadequate. Understand current law, embrace the policies of growth, show true compassion by saying ''no'' to this motion to instruct.

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

□ 1515

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

Just in response to the gentleman from Arizona (Mr. HAYWORTH), let us crunch the numbers and get to the facts. The military families would do better with a child tax credit than no taxes on combat pay. But why are we here debating either one of them? If Members really cared about the military, men and women putting their lives on the line, we should be doing both.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HONDA).

Mr. HONDA. Mr. Speaker, let me begin by thanking the gentleman from Maryland (Mr. RUPPERSBERGER) for offering this motion to instruct conferees on the child tax credit. I really appreciate his commitment to this important issue, and also his expertise in being able to explain the fairness of what we want to do, fairness to the public of this country.

This is not the first time I have spoken out on the child tax credit. In fact, this is not the first time Democrats have spoken out on this issue either. For over 3 months, Democrats have been fighting to expand the child tax credit to the 12 million children Republicans left behind. We will continue to speak out on this floor and we will continue to fight this Republican leadership until we provide this benefit for all working families.

Back in July, I know many Americans received a check for the child tax credit in the mail from the IRS. However, and it has been said before, 6.5 million families received no check or a smaller check because the Republicans decided they did not deserve this money. The Republicans decided that when they put together their $350 billion tax cut bill, Republicans decided they had room for dividend and capital gains tax cuts, 72 percent of which goes to the top 5 percent of the households. They decided they had room to provide tax cuts of over $93,500 to those making over a million dollars. But when it came time to do a child tax credit, they decided they could not afford to help all working families.

Mr. Speaker, I know many Americans listen to these debates, and the message we Members try to convey often gets lost in all of the technical and legislative terminology. So what is our message today? It is simply this: Republicans managed to pass a $350 billion tax cut but deliberately left 12 million children behind, and Democrats have been continuing to fight on behalf of those 12 million children.

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

Let me congratulate my friends on the left in terms of their remarkable uniformity in talking points. But there reaches a point in time when we get past the focus groups and the pollsters and we deal with the facts. The silence is deafening from the left. There has been no answer, because I guess they really cannot offer one, to the fact that in existing law we have already made provisions for those families. We have already made provisions for the working poor to the tune of a head of household with two kids earning just $10,000, and we do not deny they are working hard, under the refundable earned income tax credit, that family would get back over $4,000. Yet the silence is deafening.

It is good in America that we have differences, and I believe the American people, once they understand the scope of the differences, can appreciate some rational tax policy.

I just heard from my friends on the left that they supposed that military families, rather than receiving cash directly tax free from the government,

would far rather see that money processed through the IRS and then wait for a year to maybe get a tax credit. That is the logic my friend from Maryland just employed when he talked about military families.

Mr. Speaker, call me old-fashioned, but I believe cash on the barrelhead to those families who have been willing to go out and defend America is a lot better, a lot quicker, to get to them right now. No, it is not the mystery of legislative terminology, Mr. Speaker. It is simple, basic fact. True compassion means making sure people have their money and get them to it and recognize extenuating circumstances. We do that already with combat pay. We do it already through the earned income tax credit. And in the final analysis, sound policy will beat political talking points every time. That is why I say this House should continue to maintain a measure of common sense and true compassion and say no to this motion to instruct conferees.

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

Mr. RUPPERSBERGER. Mr. Speaker, I yield 30 seconds to the gentleman from California (Mr. HONDA).

Mr. HONDA. Mr. Speaker, let us talk about fairness for everybody: 262,000 of these children are from military families; 178,000 are children from farming families; 567,000 are children of nurses and orderlies. They say no to these children. Three hundred thirty-seven thousand are children of teachers. They say no to these additional children.

We can go on and talk about earned income, but this is fairness for all people with children in this country and they deserve a child tax credit.

Mr. RUPPERSBERGER. Mr. Speaker, I yield myself 1 minute.

The gentleman from Arizona (Mr. HAYWORTH) made a comment that I said that I was in favor of taxing combat pay. That is not what I said. I said when we look at the facts, a person in the military would do better by going forward with the child tax credit than not paying taxes on military combat pay. What I said was when we have our men and women risking their lives on behalf of us for our freedom and liberty, we should do both.

Mr. MORAN of Virginia. Mr. Speaker, will the gentleman yield?

Mr. RUPPERSBERGER. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. Mr. Speaker, I appreciate all of the rhetoric that we are getting on how much the majority likes military families, but they have to put their money where their mouth is. The fact is that that sergeant, that E–6 sergeant who makes less than a third of the tax cuts that you are giving to millionaires, less than a third, he makes $29,000, he did not have a choice about getting combat pay, so he goes over to Iraq. If he stayed in this country, he would have more money in his pocket because he would have been eligible for the child tax credit. If he goes over to Iraq, it is not taxable income, but the reality is, the bottom line is that he suffers. His family gets less money.

Mr. Speaker, tell me a better definition of a working-class family standing up for his country than that sergeant over in Iraq. And the other side of the aisle has made him worse off because of their legislation. That is why we need to pass the Senate version.

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

Mr. Speaker, I guess another technique in debate is to deliberately misunderstand some assertions on the floor. In listening to the rather heated and personal comments from my friends, and righteous indignation, I would say, number one, we dare not lose what is at stake here over a notion of the checkout line in terms of Americans being willing to put their lives on the line, first of all, Mr. Speaker.

And I would hope that not entering this debate is the notion that somehow those who serve their country are taking out a tote board and a computer to adhere to the duty that they have sworn and the honor they defend and the freedom that they are defending for us all, number one. Let us dare not denigrate the military with a kind of checkout line and taking a cipher to tax policy, number one.

Number two, to hear the same tired rhetoric that tax relief only benefits the wealthy, that some who come to this Chamber and offer, even when they barely suppress a smile, the fallacy in that has to be pointed out even in the child tax credit because this credit, under existing law, is phased out for single parents with incomes over $75,000 and married couples with incomes over $110,000.

So it is interesting that a myopia envelopes one group of working Americans, but by the same token we are willing to continue this masquerade and this assertion that tax relief belongs only to the wealthy.

And still from my friends on the left, not a word, not a whit, not even an acknowledgment of existing law, the earned income tax credit specifically designed for working people who may not pay income taxes but who pay other taxes, and the largess of this government already making sure those folks receive checks in the mail. They need only apply when they file their tax returns, and yet not a word about that.

Comprehensive, true compassion rather than counterfeit compassion, that is the question today, and no matter of dramatics, no matter of sound and fury can take away from the facts and the bottom line that tax policy does not occur in a vacuum, that we supply already a practical working program for people who did not have to go to their mailbox in July; they only make the filing and take advantage of existing programs that exist for those folks. There is no attempt to clarify we are going to give this now, but we are going to pull back after 2004 and reduce the value of the child tax credit, and yet that is what the motion to instruct offers.

Again, Mr. Speaker, reject the motion to instruct.

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

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

Mr. Speaker, this debate is healthy. That is what it is about in the United States Congress. We both have difference of opinions; but what we are here about today is trying to get the conference committee together so we can talk about these issues. We have already debated the merits of the bill and where we are, but now we need to come together.

I would ask the gentleman from Arizona (Mr. HAYWORTH), it has been 3 months since we have had this on the table, and the leadership in the House will not meet for a conference. It amazes me that we cannot get the conferees at least to take these issues we have discussed today and try to resolve them. The threat of partisan politics aside, this is an important issue to our country and to our military, and I would yield to the gentleman.

Mr. HAYWORTH. Mr. Speaker, will the gentleman yield?

Mr. RUPPERSBERGER. I yield to the gentleman from Arizona.

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, it is interesting when we come to the floor to talk about the merits of policy, an interesting thing is to shift it into process. I do not have any accountability. My party made another decision as to leadership, so not having a seat at the leadership table, which pains me personally, I would tell the gentleman from Maryland (Mr. RUPPERSBERGER), I cannot control that.

What I can say is this: that I believe if we embrace commonsense existing policies, we can get this done. And as the House has respectfully rejected this motion to instruct on numerous occasions, and I appreciate the gentleman's argument, but I believe we will move forward when we are able to get to conference, understanding that we are working right now, working on a prescription drug bill, working on an energy bill.

Mr. RUPPERSBERGER. Mr. Speaker, reclaiming my time, I thank the gentleman for his comments and that he does not have the authority, but he is a very persuasive individual, a great orator, and I would hope that he uses his great expertise, with his new-found look, to help us in that regard.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. BROWN).

□ 1530

Mr. BROWN of Ohio. I thank my friend from Maryland for yielding me this time. I was not planning to speak;

I was going to speak later on another issue, but listening to my golden-tongued friend from Arizona engage in the histrionics he did about service men and women and about veterans, and I have been in this House for a while, I have never seen the treatment of veterans that this House of Representatives has given. It is three strikes and you are out. First of all, this President and the Republican majority have cut the prescription drug benefit to veterans twice in the last year and a half, once and the second time it is proposed.

Second, this leadership and this Congress and this President have cut health and education benefits to veterans. The President proposed a $26 billion cut. The Congress reduced the cut but nonetheless cut veterans services. And if you live in Ohio, it is three strikes and you are out because now this administration and this Congress want to close a veterans hospital in Brecksville, Ohio. To send working-class kids to Afghanistan and Iraq, to cut taxes on the richest people in this country, and then when these young men and women come back to this country and apply for veterans benefits, they see their drug benefits are cut, they see their education benefits are cut, they see that veterans hospitals in their communities are shut down in order to pay for tax cuts, the average millionaire, $93,500 for a tax cut, is simply immoral. This debate I think crystallizes that, showing what this Congress really stands for.

Mr. HAYWORTH. Mr. Speaker, I yield myself such time as I may consume. Let me thank my friend from Ohio for polishing his banquet remarks for the next Jefferson/Jackson Day dinner in his district. Let me also point out, however, that when I hear the rhetoric about the rich, let us see who qualifies for the per-child tax credit, Mr. Speaker.

In one of the cities I represent, Phoenix, Arizona, a nurse practitioner making $64,000 a year and her husband a principal. I guess by some tokens, they are rich, I suppose. I happen to think they are working people. In fact, their per-child credit is phased out because their economic threshold is over $110,000.

Mr. Speaker, the fact is this. We were here debating a per-child tax credit. I have my own differences with many in this House in terms of our commitment to veterans, and the record reflects I voted ''no'' on the bill that passed this House before the break so I would not assume things here in a one-size-fits-all blanket indictment. Good people can disagree and often we do and many times we agree across party lines.

But to my friends who want to embrace effective policy, again I would recognize, it does not occur in a vacuum. We have moved as a government and as a society to help the working poor. I have chronicled the payments that already go to folks who are at the lower end of the socioeconomic scale, who work and play by the rules, who do not have to wait for a special provision in July, who could get thousands of dollars from the government now. They only need apply. I have made the case that there is no reason to cut back on this per-child tax credit, from $1,000 to $700 after the next election, which their motion to instruct would do and in essence be a tax increase.

Mr. Speaker, in conclusion, let me simply say this. This question has come before the House on previous occasions. We recognize true compassion and effective policy. I would ask my colleagues again to join me in voting ''no'' to stand up for the policy passed by this House which offers pro-growth and opportunity and, yes, funds to those Americans who are working, taking into account those working Americans who may not pay income tax in the broad scope of Federal tax policy.

I urge a ''no'' vote on this motion to instruct.

Mr. RUPPERSBERGER. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Mr. Speaker, I would just take 1 minute here to make a few comments. I cannot believe that in the United States Congress we have done all we could possibly do for the working poor in this country. Shut out the lights, close the doors, we have done all we can because we have given a tax cut. I think it is nonsense.

Two quick points. One, the gentleman from Arizona has brought up about the earned income tax credit. A great program, no doubt about it. This is the same program that has a better chance of getting audited if you apply for that program by the IRS than if you make $1 million a year. This government is slanted against the poor and for the rich. Those are the stubborn facts that make it very difficult.

The second part is I have only been here 9 months. There is one thing I have learned. If you do not have a lobby, if you cannot raise millions of dollars for the majority party, your agenda does not make it to this floor. If you are the pharmaceutical companies, if you are the insurance companies, your agenda is here. If you are the working poor, you get forgotten, you have got enough, we have done all we can do. If you do not live in a gated community, you have been ignored by this Congress.

Mr. HAYWORTH. Mr. Speaker, I yield myself such time as I may consume. It is very interesting to hear these points. I certainly again welcome my friend from Ohio to this Chamber. I appreciate honest, honest differences of opinion. But to somehow say that a head of household earning $10,000 a year who can receive in the mail a $4,000 check, to somehow denigrate that by claiming there is going to be an audit and somehow make the case that this is a strange Robin Hood in reverse when historical accuracy compels me to point out, the reason Robin Hood went to work in the first place was because the sheriff of Nottingham overtaxed the people, that is often left out of the story, and to hear this does nothing to the debate at hand and, that is, true compassion does not mean reduce this per-child tax credit after the next election. True compassion does not mean ignore what goes on or denigrate it because of the threat of audit. Effective, comprehensive, commonsense policy demands that we move forward with this per-child credit as passed in the House and that we reject the Senate-passed bill and that we reject this motion to instruct.

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

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

My colleagues on the other side have said they are already helping the military. We talked about the military because we are at war now and that is a component of this bill that we are discussing here today. If that is the case, and I believe very strongly that we all care about the military, then why not continue the effort and pass the child tax credit bill which helps our men and women putting their lives on the line on our behalf? That just makes sense. That is American. That is what we need to do.

The other Chamber talked about issues of fiscal responsibility. If you look at the Senate bill versus the House bill, there are the offsets that are there. It does not increase this deficit. We are in a difficult situation now in this country. We need to be fiscally responsible. The Senate bill does that. But really what we are talking about here today, and I have been just as guilty as anyone else, we have been debating the merits of the legislation and where we need to be, but what we are talking about is let us just get to the conference. Let us get to the conference. Three months and we have not sat down. We need to sit down in a nonpartisan way because this is so important to our country, to our families and our communities and our military.

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

The SPEAKER pro tempore (Mr. CARTER). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Maryland (Mr. RUPPERSBERGER).

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

Mr. RUPPERSBERGER. 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, further proceedings on this motion will be postponed.

SPECIAL ORDERS

The SPEAKER pro tempore. 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.

REGARDING MILITARY INTERVENTION IN IRAQ

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

Mr. BROWN of Ohio. Mr. Speaker, about a century and a half ago, a little longer than that, the House of Representatives passed a rule banning, prohibiting the discussion of slavery in the U.S. House of Representatives. In those days John Quincy Adams, former President, was a Member of the House of Representatives and while he was banned, was prohibited from discussing slavery, former President Adams, Congressman Adams as an abolitionist believed that slavery was the biggest blot on our Nation's history and wanted to remove that. He came to the House floor day after day, week after week, and because he could not talk directly about slavery, he read letters from his constituents in Massachusetts expressing their concern about slavery.

Along those lines, this Congress today, my friends in the majority, will not allow us to debate the issue of the President's perhaps not telling the whole truth about his decision to attack Iraq. We have gotten literally hundreds of thousands of signatures in this body, petitions stating that Congress should support an independent commission to investigate the Bush administration's distortion of evidence of Iraq's weapons of mass destruction program.

I would like to share some of those literally thousands of letters from my State that have come with those petitions asking this Congress to investigate.

From Delaware, Ohio:

''I opposed the war in Iraq from the beginning, convinced there were other ways to working towards regime change, and I'm convinced that Saddam Hussein had more dangerous weapons secreted away than did many other national dictators. Now it seems possible the American public was duped by the Bush administration.''

From Dayton, Ohio:

''I am concerned that the public was not fully informed about the intelligence used to urge us to support going to war in Iraq. I'm particularly distressed that we didn't try harder to get United Nations support and that occupation plans were poorly formulated. If we had full intelligence about weapons of mass destruction in Iraq, we might have been able to make a more reasoned decision.''

I am hearing letter after letter now coming into my office, people concerned, people especially upset as the President announced this week that we are going to spend $60 to $70 billion in Iraq, we are now spending $1 billion a week of U.S. taxpayer dollars, dollars we are not spending to reconstruct America's schools, dollars we are not spending on highways, in mass transit and infrastructure, dollars we are not spending on prescription drug benefits, dollars we are not spending to give tax breaks to the middle class. We are spending $1 billion a week in Iraq.

But to make that even worse, my constituents tell me, and I hear people especially upset, is one-third of those dollars, those billion dollars a week, are going to private contractors, companies like Halliburton, happens to be a company on which Vice President CHENEY is still on the payroll. Halliburton still pays Vice President CHENEY $15,000 a month. They are getting billions of dollars in unbid contracts of our tax dollars as President Bush and our country continue the occupation of Iraq. A billion dollars a week we are spending in Iraq, a third of that goes to unbid contracts, mostly to the President's friends. Is it any surprise the President can raise $200 million in his campaign when he is giving unbid contracts to his friends of literally hundreds of millions of dollars every single week?

Another letter comes from a gentleman in Ohio also who writes:

''It's very important that this administration be held to the same standards of scrutiny and accountability as any other. This investigation is a congressional obligation, not simply a discretionary option. I urge you to support the vote for establishing a commission.''

□ 1545

Another letter from Ohio: ''Please cosponsor H.R. 260 and open up the hearings to the public. If the hearings are closed, it will send a loud message that Congress doesn't care about the truth that our Representatives want to hide foreign policy from the whole world, including the American citizens.''

Another letter: ''As a Vietnam veteran, I demand an investigation. Our children should not be expendable for political or financial gain.''

These letters, as I said, continue to show concern and in some cases outrage that we are spending $1 billion a week in Iraq with $300 million of that going to unbid contracts to private contractors, many of whom are major contributors to the President.

From Kent, Ohio: ''I am appalled by the continuing arrogance of the administration and its deceptive practices. Please call a commission to make them accountable for the killing of Americans in Iraq that I fear has only begun.''

Mr. Speaker, it goes on and on and on, from thousands of concerned citizens, literally hundreds of thousands, across the country.

The SPEAKER pro tempore (Mr. CARTER). 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 Extensions of Remarks.)

ADMINISTRATION STACKING DECK AGAINST AMERICAN STEELWORKERS

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

Mr. RYAN of Ohio. Mr. Speaker, I rise today on behalf of hundreds of thousands of steelworkers, not only in the great State of Ohio, but across this country, many from my district. These times for the steelworkers have been made even worse by an administration that has really stacked the deck against them. We have suffered the worst job loss record since the Great Depression. Nine million Americans are unable to find a job, 3 million have lost their jobs since President Bush has taken office, and 195,000 of those live in the great State of Ohio.

In particular, the steelworkers, many men and women across the industrial Midwest who have given their lives, in many instances their limbs, to feed their families and make sure their kids can have a better life than they had. Twenty-six steel companies have gone bankrupt.

I found it very interesting the other day that the President of the United States made his way into Ohio in an election year to talk about manufacturing, and he made his way through the gated communities of the State of Ohio. As his motorcade rode through, he landed in Richfield, Ohio, one of the wealthiest suburbs in the State, to talk about the decline in manufacturing. He did not go to Youngstown, he did not go to Cleveland, he did not go to Toledo, he did not go to Mansfield. He went to the suburbs.

It is time we have a manufacturing policy in this country again. We sign trade agreements that continue to send our jobs, once to Mexico, and now they are leaving Mexico and they are going to China.

One quick story. Before the break, at the end of July, we passed two trade agreements, two new ones, two new NAFTAs, one with Chile, one with Singapore. We want to export more. No labor standards, no environmental standards.

We had many Members of this Chamber come before us and indicate how great these free trade agreements are, how they were going to make America stronger, that we have free trade, we have this free exchange of goods, it is great for everybody, it lowers the price for the consumers.

Later that night, early into the next morning, we tried to pass a drug reimportation bill. We basically wanted to free-trade pharmaceuticals to drive

the price down. The same people who were advocating the free trade of textiles and cars and steel and everything else were the same people that were saying we cannot be free-trading pharmaceuticals.

The only direct link for that position is where are you getting your campaign contributions. If you are for free trade of textiles, you can raise a lot of money. If you are for protectionism for pharmaceuticals, you can raise a lot of money.

Which brings us to the issue of health care. There are 41 million uninsured in this country. Eighty-two percent of the 41 million are from working families, industrial unions, people who go to work and work hard every day. And on every contract that they try to negotiate is the issue of health care costs, premiums, copays, prescription drugs going up by 15 percent, skyrocketing. Premiums increased by 12.7 percent in 2002 compared with 0.8 percent in 1996.

Mr. Speaker, we are not going to win this battle with money. It is going to take us uniting together, like we did in the past century, voter by voter by voter, if we want a policy in this country that advocates for the poor, that advocates for the middle class and that tells the pharmaceutical companies that have been the most profitable industry in this country in the last 10 years, that you cannot get money from the government to begin your research and development, public money, and then stick it to the consumer on the back end with inflated drug prices.

We need the unions of this country, the steelworkers of this country to unite again in an energized effort to take this country back so it is not who has the money gets the proper legislation; it ends up with who got the votes gets what this country not only needs, but really deserves.

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

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

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

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

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

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

PAPER MONEY AND TYRANNY

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

Mr. PAUL. Mr. Speaker, earlier we heard some concern expressed for jobs leaving this country. If one is concerned about that, maybe it would be advantageous to listen to what I say, because I will try to give an explanation for exactly the reason why those jobs leave.

My Special Order today is entitled ''Paper Money and Tyranny.''

Mr. Speaker, all great republics throughout history cherished sound money. This meant the monetary unit was a commodity of honest weight and purity. When money was sound, civilizations were found to be more prosperous and freedom thrived. The less free a society becomes, the greater the likelihood its money is being debased and the economic well-being of its citizens diminished.

Alan Greenspan, years before he became Federal Reserve Board Chairman in charge of flagrantly debasing the U.S. dollar, wrote about this connection between sound money, prosperity and freedom.

In his article ''Gold and Economic Freedom'' in 1966, Mr. Greenspan starts by saying, ''An almost hysterical antagonism toward the gold standard is an issue that unites status of all persuasions. They seem to sense that gold and economic freedom are inseparable.''

Further he states that under the gold standard, ''a free banking system stands as the protector of an economy's stability and balanced growth.''

Astoundingly, Mr. Greenspan's analysis of the 1929 market crash and how the Fed precipitated the crisis directly parallels current conditions we are experiencing under his management of the Fed. Greenspan explains, ''The excess credit which the Fed pumped into the economy spilled over into the stock market, triggering a fantastic speculative boom, and by 1929 the speculative imbalances had become overwhelming and unmanageable by the Fed.''

Greenspan concluded his article by stating, ''In the absence of the gold standard, there is no way to protect savings from confiscation through inflation.'' He explains that the ''shabby secret of the proponents of big government and paper money is that deficit spending is simply nothing more than a scheme for the hidden confiscation of wealth.''

Yet here we are today with a purely fiat monetary system managed almost exclusively by Mr. Greenspan who once so correctly denounced the Fed's role in the Depression while recognizing the need for sound money.

The founders of this country and a large majority of the American people up until the 1930s disdained paper money, respected commodity money and disapproved of the Central Bank's monopoly control of money creation and interest rates. Ironically, it was the abuse of the gold standard, the Fed's credit-creating habits of the 1920s and its subsequent mischief in the 1930s, that not only gave us the Great Depression, but also prolonged it. Yet sound money was blamed for all the suffering. That is why people hardly objected when Roosevelt and his status friends confiscated gold and radically debased the currency, ushering in the age of worldwide fiat currencies with which the international community struggles today.

If honest money and freedom are inseparable, as Mr. Greenspan argues, and paper money leads to tyranny, one must wonder why it is so popular with the economists, the business community, bankers and our government officials. The simplest explanation is that it is a human trait to always seek the comforts of wealth with the least amount of effort.

This desire is quite positive when it inspires hard work and innovation in a capitalist society. Productivity is improved and the standard of living goes up for everyone. This process has permitted the poorest in today's capitalist countries to enjoy luxuries never available to the royalty of old. But this human trait of seeking wealth and comfort with the least amount of effort is often abused. It leads some to believe that by certain monetary manipulations, wealth can be made more available to everyone.

Those who believe in fiat money often believe wealth can be created without a commensurate amount of hard work and innovation. They also come to believe that savings and market control of interest rates are not only unnecessary, but actually hinder a productive, growing economy.

Concern for liberty is replaced by the illusion that material benefits can be more easily obtained with fiat money than through hard work and ingenuity. The perceived benefits soon become of greater concern for society than the preservation of liberty.

This does not mean proponents of fiat money embark on a crusade to promote tyranny, though that is what it leads to, but rather they hope that they have found the ''philosopher's stone'' and a modern alternative to the challenge of turning lead into gold.

Our founders thoroughly understood this issue and warned us against the temptation to seek wealth and fortune without the work and savings that real prosperity requires. James Madison warned of ''the pestilent effects of paper money,'' as the founders had vivid memories the destructiveness of the continental dollar.

George Mason of Virginia said that he had a ''mortal hatred of paper money.''

Constitutional Convention delegate Oliver Elseworth from Connecticut thought the convention ''a favorable moment to shut and bar the door against paper money.''

This view of the evils of paper money was shared by almost all of the delegates to the convention and was the

reason the Constitution limited congressional authority to deal with the issue and mandate that only gold and silver could be legal tender. Paper money was prohibited, and no central bank was authorized.

Over and above the economic reasons for honest money, however, Madison argued the moral case for such. Paper money, he explained, destroyed ''the necessary confidence between man and man and necessary confidence in public councils on the industry and morals of people and on the character of republican government.''

The founders were well aware of the Biblical admonitions against dishonest weights and measures, debased silver and watered-down wine. The issue of sound money throughout history has been as much a moral issue as an economic or political one.

Even with this history and great concern expressed by the founders, the barriers to paper money have been torn asunder. The Constitution has not been changed, but it is no longer applied to the issue of money.

It was once explained to me during the debate over going to war in Iraq that a declaration of war was not needed because to ask for such a declaration was frivolous and that the portion of the Constitution dealing with congressional war power was anachronistic.

So, too, it seems that the power over money given to Congress alone and limited to coinage and honest weights is now also anachronistic. If indeed our generation can make the case for paper money issued by an unauthorized central bank, it behooves us to at least have enough respect for the Constitution to amend it in a proper fashion.

□ 1600

Ignoring the Constitution in order to perform a pernicious act is detrimental in two ways. First, debasing the currency as a deliberate policy is economically destructive beyond measure. Second, doing it without consideration for the rule of law undermines the entire fabric of our constitutional republic.

Though the need for sound money is currently not a pressing issue for Congress, it is something that cannot be ignored because serious economic problems resulting from our paper money system are being forced upon us. As a matter of fact, we deal with the consequences on a daily basis, yet fail to see the connection between our economic problems and the mischief orchestrated by the Federal Reserve.

All the great religions teach honesty in money, and the economic shortcomings of paper money were well known when the Constitution was written. So we must try to understand why an entire generation of Americans have come to accept paper money without hesitation, without question.

Most Americans are oblivious to the entire issue of the nature and importance of money. Many in authority, however, have either been misled by false notions or see that the power to create money is indeed a power they enjoy as they promote their agenda of welfarism at home and empire abroad.

Money is a moral, economic and political issue. Since the monetary unit measures every economic transaction from wages to prices, taxes and interest rates, it is vitally important that its value is honestly established in the marketplace without bankers, government politicians, or the Federal Reserve manipulating its value to serve the special interest.

The moral issue regarding money should be the easiest to understand, but almost no one in Washington thinks of money in these terms. Although there is a growing and deserved distrust in government per se, trust in money and the Federal Reserve's ability to manage it remain strong. No one would welcome a counterfeiter to town, yet this same authority is blindly given to the central bank without any serious oversight by the Congress.

When the government can replicate the monetary unit at will, without regard to cost, whether it is a paper currency or a computer entry, it is morally identical to the counterfeiter who illegally prints currency. Both ways it is fraud. A fiat monetary system allows power and influence to fall into the hands of those who control the creation of new money and to those who get to use the credit or money early in its circulation. The insidious and eventual costs falls on unidentified victims who are usually oblivious to the cause of their plight.

This system of legalized plunder allows one group to benefit at the expense of another. An actual transfer of wealth goes from the poor and middle class to those in privileged financial position.

In many societies, the middle class has actually been wiped out by monetary inflation, which always accompanies fiat money. The high cost of living and loss of jobs hits one segment of society, while in the early stages of inflation the business class actually benefits from the easy credit. An astute stock investor or home builder can make millions in the boom phase of the business cycle, while the poor and those dependent on fixed incomes cannot keep up with the rising cost of living.

Fiat money is also immoral because it allows government to finance special interest legislation that otherwise would have to be paid for by direct taxation or by productive enterprise. This transfer of wealth occurs without directly taking the money out of someone's pocket. Every dollar created dilutes the value of existing dollars in circulation. Those individuals who worked hard, paid their taxes, and saved some money for a rainy day are hit the hardest with their dollars being depreciated in value while earning interest that is kept artificially low by the Federal Reserve's easy credit system.

The easy credit helps investors and consumers who have no qualms about going into debt and even declaring bankruptcy. If someone sees the welfare state and foreign militarism as improper and immoral, one understands how the license to print money permits these policies to go forward far more easily than if they had to be paid for immediately by direct taxation. Printing money, which is literally inflation, is nothing more than a sinister and evil form of hidden taxation. It is unfair and deceptive, and, accordingly, strongly opposed by the authors of the Constitution. That is why there is no authority for Congress, the Federal Reserve, or the executive branch to operate the current system of money we have today.

Although the money issued today is of little practical interest to the parties and the politicians, it should not be ignored. Policymakers must contend with the consequence of the business cycle which result from the fiat monetary system under which we operate. They may not understand the connection now but eventually they must. In the past, money and gold have been dominant issues in several major political campaigns. We find that when the people have had a voice in the matter, they inevitably choose gold over paper. To the common man it just makes sense. As a matter of fact, a large number of Americans, perhaps a majority, still believe our dollar is backed by gold at Fort Knox.

The monetary issue, along with the desire to have free trade among the States, prompted those at the Constitutional Convention to seek solutions to problems that plagued the post-revolutionary war economy. The postwar recession was greatly aggravated by the collapse of the unsound fiat continental dollar. The people, through their representatives, spoke loudly and clearly for gold and silver over paper.

Andrew Jackson, a strong proponent of gold and opponent of central banking, he opposed the second bank in the United States, was a hero to the working class and was twice elected President. This issue was fully debated in his Presidential campaigns. The people voted for gold over paper.

In the 1870s, the people once again spoke out clearly against the greenback inflation of Lincoln. Notoriously, governments go to paper money while rejecting gold to promote unpopular and unaffordable wars. The return to gold in 1879 went smoothly and was welcomed by the people, putting behind them the disastrous Civil War inflationary period.

Grover Cleveland, elected twice to the Presidency, was also a strong advocate of the gold standard. Again in the Presidential race of 1896, William McKinley argued the case for gold. In spite of the great orations by William Jennings Bryant who supported monetary inflation and made a mocking cross-of-gold speech, the people rallied

behind McKinley's bland but correct argument for sound money.

The 20th century was much less sympathetic to gold. Since 1913, central banking has been accepted in the United States without much debate, despite the many economic and political horrors caused by or worsened by the Federal Reserve since its establishment. The ups and downs of the economy have all come as a consequence of Fed policies, from the Great Depression to the horrendous stagflation of the 1970s, as well as the current ongoing economic crisis.

A central bank in fiat money enables government to maintain an easy war policy that under strict monetary rules would not be achievable. In other words, countries with sound monetary policies would rarely go to war because they could not afford to, especially if they were not attacked. The people could not be taxed enough to support wars without destroying the economy. But by printing money, the costs can be delayed and hidden, sometimes for years if not decades. To be truly opposed to preemptive and unnecessary wars, one must advocate sound money to prevent the promoters of war from financing their imperialism.

Look at how the military budget is exploding, deficits are exploding, and tax revenues are going down. No problem. The Fed is there and will print whatever is needed to meet our military commitments, whether it is wise to do so or not.

Money issues should indeed be a gigantic political issue. Fiat money hurts the economy, finances war, and allows for excessive welfarism. When these connections are realized and understood, it will once again become a major political issue, since paper money never lasts. Ultimately, politicians will not have a choice over whether or not to address or take a position on the money issue. The people and circumstances will demand it.

We do hear some talk about monetary policy and criticism directed toward the Federal Reserve, but it falls far short of what I am talking about. Big spending welfarists constantly complain about Fed policy, usually demanding lower interest rates even when rates are at historic lows. Big government conservatives promote grand worldwide military operations while arguing that deficits do not matter as long as marginal tax rates are lowered and also constantly criticize the Fed for high interest rates and lack of liquidity. Coming from both the left and the right, these demands would not occur if money could not be created out of thin air at will. Both sides are asking for the same thing from the Fed, for different reasons. They want the printing presses to run faster and create more credit so that the economy will be healed like magic, or so they believe.

This is not the kind of interest in the Fed that we need. I am anticipating that we should, and one day will, be forced to deal with the definition of the dollar and what money should consist of. The current superficial discussion about money merely shows a desire to tinker with the current system in hopes of improving the deteriorating economy. There will be a point, though, when the tinkering will no longer be of any benefit, and even the best advice will be of little value.

We have just gone through a 2½ year period of tinkering with 13 interest rate cuts and recovery has not yet been achieved. It is just possible that we are much closer than anyone realizes to that day when it will become absolutely necessary to deal with the monetary issue both philosophically and strategically and forget about the Band-Aid approach to the current system.

For a time, the economic consequences of paper money may seem benign and even helpful but are always disruptive to economic growth and prosperity. Economic planners of the Keynesian socialist types have always relished control over money creation in their effort to regulate and plan the economy. They have no qualms with using their power to pursue their egalitarian dreams of wealth redistribution. That force and fraud are used to make the economic system supposedly fairer is of little concern to them.

There are also many conservatives who do not endorse central economic planning as those on the left do, but nevertheless concede this authority to the Federal Reserve to manipulate the economy through monetary policy. Only a small group of constitutionalists, libertarians, and Austrian free market economists reject the notion that central planning through interest rate and money supply manipulation is a productive endeavor. Many sincere politicians, bureaucrats, and bankers endorse the current system, not out of malice or greed but because it is the only system they have ever heard of.

The principles of sound money and free market banking are not taught in our universities anymore. The overwhelming consensus in Washington as well as around the world is that commodity money without a central bank is no longer practical or necessary. Be assured, though, that certain individuals who greatly benefit from a paper money system know exactly why the restraints that a commodity standard would have are unacceptable.

Though the economic consequences of paper money in the early stage affect lower-income and middle-class citizens, history shows that when the destruction of monetary value becomes rampant, nearly everyone suffers and the economic structure becomes unstable.

There is good reason for all of us to be concerned about our monetary system and the future of the dollar. Nations that live beyond their means must always pay for their extravagance. It is easy to understand why future generations inherit a burden when the national debt piles up. This requires others to pay the interest and debts when they come due. The victims are never the recipients of the borrowed funds.

But this is not exactly what happens when a country pays off its debt. The debt in nominal terms always goes up. And since it is still accepted by mainstream economists that just borrowing endlessly is not the road to permanent prosperity, real debt must be reduced. Depreciating the value of the dollar does that. If the dollar loses 10 percent of its value, the national debt of $6.5 trillion is reduced in real terms by $650 billion.

□ 1615

That is a pretty neat trick and quite helpful to the government. That is why the Fed screams about a coming deflation, so it can continue the devaluation of the dollar unabated. The politicians do not mind, the bankers welcome the business activity, and the recipients of the funds passed out by Congress never complain. The greater the debt, the greater the need to inflate the currency since the debt cannot be the source of long-term wealth. Individuals and corporations who borrow too much eventually must cut back and pay off their debt and start anew, but governments never do.

Where is the hitch? This process which seems to be a creative way of paying off debt eventually undermines the capital structure of the economy, thus making it difficult to produce wealth, and that is when the whole process comes to an end. This system causes many economic problems, but most of them stem from the Fed's interference with the market rate of interest that it achieves through credit creation and printing money.

Nearly 100 years ago, Austrian economist Ludwig Von Mises explained and predicted the failure of socialism. Without a pricing mechanism, the delicate balance between consumers and producers would be destroyed. Freely fluctuating prices provide vital information to the entrepreneur who is making key decisions on production. Without this accurate information, major mistakes are made. A central planning bureaucrat cannot be a substitute for the law of supply and demand.

Though generally accepted by most modern economists and politicians, there is little hesitancy in accepting the omnipotent wisdom of the Federal Reserve to know the price of money and the interest rate and its proper supply. For decades, and especially during the 1990s when Chairman Greenspan was held in such high esteem and no one dared question his judgment or the wisdom of the system, this process was allowed to run unimpeded by political or market restraints. Just as we must eventually pay for our perpetual deficits, continuous manipulation of interest and credit will also extract a payment.

Artificially low interest rates deceive investors into believing that rates are low because savings are high and represent funds not spent on consumption. When the Fed creates bank deposits out of thin air, making loans available at below-market rates now, investment and overcapacity results, setting the stage for the next recession or depression.

The easy credit policy is welcomed by many stock market investors, home builders, home buyers, congressional spendthrifts, bankers and many consumers who enjoy borrowing at low rates and not worrying about repayment. However, perpetual good times cannot come from a printing press or easy credit created by a Federal Reserve computer. The piper will demand payment and the downturn in the business cycle will see to it. The downturn is locked into place by the artificial boom that everyone enjoys, despite the dreams that we have ushered in a ''new economic era.''

Let there be no doubt, the business cycle, the stagflation, the recessions, the depressions and the inflations are not a result of capitalism and sound money but rather are a direct result of paper money and a central bank that is incapable of managing it.

Our current monetary system makes it tempting for all parties, individuals, corporations and government to go into debt. It encourages consumption over investment and production. Incentives to save are diminished by the Fed's making new credit available to everyone and keeping interest rates on savings so low that few find it advisable to save for a rainy day. This is made worse by taxing interest earned on savings. It plays havoc with those who do save and want to live off their interest. The artificial rates may be 4 or 5 or even 6 percent below the market rate and the savers, many of whom are elderly and on fixed incomes, suffer unfairly at the hands of Alan Greenspan who believes that resorting to money creation will solve our problems and give us perpetual prosperity.

Lowering interest rates at times, especially in the early stages of monetary debasement, will produce the desired effect and stimulate another boom-bust cycle, but eventually the distortions and imbalances between consumption and production and excessive debt prevent the monetary stimulus from doing very much to boost the economy. Just look at what has been happening to Japan for the last 12 years. When conditions get bad enough, the only recourse will be to have major monetary reform to restore confidence in the system.

The two conditions that result from fiat money that are more likely to concern the people are inflation of prices and unemployment. Unfortunately, few realize these problems are directly related to our monetary system. Instead of demanding reforms, the chorus from both the right and the left is for the Fed to do more of the same, only faster. If our problems stem from easy credit and interest rate manipulation by the Fed, demanding more will not do much to help. Sadly, it will only make our problems worse.

Ironically, the more successful the money managers are at restoring growth or prolonging the boom with their monetary machinations, the greater are the distortions and imbalances in the economy. This means that when corrections are eventually forced upon us, they are much more painful and more people suffer with the correction lasting longer.

Today's economic conditions reflect a fiat monetary system held together by many tricks and luck over the past 30 years. The world has been awash in paper money since removal of the last vestige of the gold standard by Richard Nixon when he buried the Bretton Woods agreement, the gold exchange standard, on August 15, 1971. Since then, we have been on a worldwide paper dollar standard. Quite possibly we are seeing the beginning of the end of that system. If so, tough times are ahead for the United States and the world economy.

A paper monetary standard means there are no restraints on the printing press or on Federal deficits. In 1971, M3 was $776 billion. Today, it stands at $8.9 trillion, an 1100 percent increase. Our national debt in 1971 was $408 billion. Today it stands at $6.8 trillion, a 1600 percent increase.

Since that time, our dollar has lost almost 80 percent of its purchasing power. Common sense tells us that this process is not sustainable and something has to give. So far, no one in Washington seems interested.

Although dollar creation is ultimately the key to its value, many other factors play a part in its perceived value, such as the strength of our economy, our political stability, our military power, the benefits of the dollar being the key reserve currency of the world and the relative weakness of other nations' economies and their currencies. For these reasons, the dollar has enjoyed a special place in the world economy. Increases in productivity have also helped to bestow undeserved trust in our currency with consumer prices being held in check and fooling the people at the urging of the Fed that inflation is not a problem.

Trust is an important factor in how the dollar is perceived. Sound money encourages trust, but trust can come from these other sources as well. But when that trust is lost, which always occurs with paper money, the delayed adjustments can hit with a vengeance.

Following the breakdown of the Bretton Woods agreement, the world essentially accepted the dollar as a replacement for gold, to be held in reserve upon which even more monetary expansion could occur. It was a great arrangement that up until now seemed to make everyone happy.

We own the printing press and create as many dollars as we please. These dollars are used to buy Federal debt. This allows our debt to be monetized and the spendthrift Congress, of course, finds this a delightful convenience and never complains. As the dollars circulate through our fractional banking system, they expand many times over. With our excess dollars at home, our trading partners are only too happy to accept these dollars in order to sell us their product. Because our dollar is relatively strong compared to other currencies, we can buy foreign products at a discounted price. In other words, we get to create the world's reserve currency at no cost, spend it overseas and receive manufactured goods in return. Our excess dollars go abroad and other countries, especially Japan and China, are only too happy to loan them right back to us by buying our government and GSE debt. Up until now, both sides have been happy with this arrangement.

But all good things must come to an end, and this arrangement is ending. This process puts us into a position of being a huge debtor nation, with our current account deficit of more than $600 billion a year now exceeding 5 percent of our GDP. We now owe foreigners more than any other nation ever owed in history, over $3 trillion.

A debt of this sort always ends by the currency of the debtor nation decreasing in value, and that is what has started to happen with the dollar.

Although it has still a long way to go, our free lunch cannot last. Printing money, buying foreign products and selling foreign holders of dollars our debt ends when the foreign holders of this debt become concerned about the value of the dollar.

Once this process starts, interest rates will rise, and in recent weeks, despite the frenetic effort of the Fed to keep interest rates low, they are actually rising. The official explanation is that this is due to an economic rebound with an increase in demands for loans. Yet a decrease in demand for our debt in reluctance to hold our dollars is a more likely cause. Only time will tell whether the economy rebounds to any significant degree, but one must be aware that rising interest rates and serious price inflation can also reflect a weak dollar and a weak economy.

The stagflation of the 1970s baffled many conventional economists but not the Austrian economists. Many other countries have in the past have suffered from the extremes of inflation in an inflationary depression, and we are not immune from that happening here. Our monetary and fiscal policies are actually conducive to such a scenario.

In the short run, the current system gives us a free ride. Our paper buys cheap foods from overseas, and foreigners risk all by financing our extravagance. But in the long run, we will surely pay for living beyond our means. Debt will be paid for one way or another. An inflated currency always

comes back to haunt those who enjoyed the benefits of inflation. Although this process is extremely dangerous, many economists and politicians do not see it as a currency problem and are only too willing to find a villain to attack. Surprisingly, the villain is often the foreigner who foolishly takes our paper for useful goods and accommodates us by loaning the proceeds back to us.

It is true that the system encourages exportation of jobs as we buy more and more foreign goods, but nobody understands the Fed's role in this. So the cries go out to punish the competition with tariffs. Protectionism is a predictable consequence of paper money inflation, just as is the impoverishment of the entire middle class. It should surprise no one that even in the boom phase of the 1990s, there were still many people who became poorer. Yet all we hear are calls for more government mischief to correct the problems with tariffs, increased welfare for the poor, increased unemployment benefits, deficit spending, and special interest tax reduction, none of which can solve the problems ingrained in a system that operates with paper money and a central bank.

If inflation were equitable and treated all classes the same, it would be less socially divisive, but while some see their incomes going up above the rate of inflation like movie stars, CEOs, stock brokers, speculators, professional athletes, others see their income stagnate like lower-middle-income workers, retired people and farmers. Likewise, the rise in the cost of living hurts the poor and middle class more than the wealthy. Because inflation treats certain groups unfairly, anger and envy are directed towards those who have benefited.

The long-term philosophic problem with this is that the central bank and fiat monetary system are never blamed. Instead, free market capitalism is. This is what happened in the 1930s. The Keynesians, who grew to dominate economic thinking at that time, erroneously blamed the gold standard, balanced budget and capitalism, instead of tax increases, tariffs and Fed policy. This country cannot afford another attack on economic liberty, similar to what followed the 1929 crash that ushered in the economic interventionism and inflationism with which we have been saddled with ever since.

These policies have brought us to the brink of another colossal economic downturn, and we need to be prepared. Big business and banking deserve our harsh criticism, but not because they are big or because they are rich. Our criticism should come because of the special benefits they receive from a monetary system designed to assist the business class at the expense of the working class.

□ 1630

Labor leader Samuel Gompers understood this and feared paper money and a central bank while arguing the case for gold.

Since the monetary system is used to finance deficits that come from war expenditures, the military industrial complex, as one would expect, is a strong supporter of the current monetary system. Liberals foolishly believe that they can control the process and curtail the benefits going to corporations and banks by increasing spending for the welfare of the poor, but this never happens. Powerful financial special interests control the government spending process and throw only crumbs to the poor.

The fallacy with this approach is that the advocates fail to see the harm done to the poor with cost-of-living increases and job losses that are a natural consequence of monetary debasement. Therefore, even more liberal control over the spending process can never compensate for the great harm done to the economy and the poor by the Federal Reserve's effort to manage an unmanageable fiat monetary system.

Economic intervention financed by inflation is high-stakes government. It provides the incentive for the big money to invest in gaining government control. The big money comes from those who have it, corporation and banking interests. That is why literally billions of dollars are spent on elections and lobbying. The only way to restore equity is to change the primary function of government from economic planning and militarism to protecting liberty. Without money, the poor and the middle class are disenfranchised, since access, for the most part, requires money.

Obviously, this is not a partisan issue since both major parties are controlled by wealthy special interests. Only the rhetoric is different. Our current economic problems are directly related to the monetary excesses of 3 decades and the more recent efforts by the Federal Reserve to thwart the correction that the market is forcing upon us.

Since 1998, there has been a sustained attack on corporate profits. Before that, profits and earnings were inflated and fictitious, with WorldCom and Enron being prime examples. In spite of the 13 rate cuts since 2001, economic growth has not been restored. Paper money encourages speculation, excessive debts and misdirected investments. The market, however, always moves in the direction of eliminating bad investments, liquidating debt, and reducing speculative excesses.

What we have seen, especially since the stock market peak of early 2000, is a knockdown-drag-out battle between the Fed's effort to avoid a recession, limit the recession, and stimulate growth with its only tool, money creation, while the market demands the elimination of bad investments and excessive debt.

The Fed was also motivated to save the stock market from collapsing, which in some ways they have been able to do. The market, in contrast, will insist on liquidation of unsustainable debt, removal of investment mistakes made over several decades, and a dramatic reevaluation of the stock market. In this go-round, the Fed has pulled out all stops and is more determined than ever, yet the market is saying that new and healthy growth cannot occur until a major cleansing of the system occurs.

Does anyone think that tariffs and interest rates of 1 percent will encourage the rebuilding of our steel and textile industries anytime soon? Obviously, something more is needed. The world central bankers are concerned with the lack of response to low interest rates, and they have joined in a concerted effort to rescue the world's economy through a policy of protecting the dollar's role in the world economy, denying that inflation exists and justifying unlimited expansion of the dollar money supply.

To maintain confidence in the dollar, gold prices must be held in check. In the 1960s, our government did not want a vote of no confidence in the dollar, and for a couple of decades the price of gold was artificially held at $35 an ounce. That of course did not last. In recent years there has been a coordinated effort by the world central bankers to keep the price of gold in check by dumping part of their large hoard of gold into the market. This has worked to a degree, but just as it could not be sustained in the 1960s, until Nixon declared the Brenton Woods agreement dead in 1971, this effort will fail as well.

The market price of gold is important because it reflects the ultimate confidence in the dollar. An artificially low price for gold contributes to false confidence. And when this is lost, more chaos ensues as the market adjusts for the delay.

Monetary policy today is designed to demonetize gold and guarantee for the first time that paper can serve as an adequate substitute in the hands of wise central bankers.

Trust, then, has to be transferred from gold to the politicians and bureaucrats who are in charge of our monetary system. This fails to recognize the obvious reason that market participants throughout history have always preferred to deal with real assets, real money rather than government paper.

This contest between paper and honest money is of much greater significance than many realize. We should know the outcome of this struggle within the next decade. Alan Greenspan, although once a strong advocate for the gold standard, now believes he knows what the outcome of this battle will be. Is it just wishful thinking on his part? In answer to a question I asked him before the Committee on Financial Services in February of this year, Mr. Greenspan made an effort to convince me that paper money now works as well as gold when he responded, ''I have been quite surprised,

and I must say pleased, by the fact that central banks have been able to effectively simulate many of the characteristics of the gold standard by constraining the degree of finance in a manner which effectively brought down the general price levels.''

Earlier, in December 2002, Mr. Greenspan spoke before the Economic Club of New York and addressed the same subject: ''The record of the past 20 years appears to underscore the observation that although pressures for excessive issuance of fiat money are chronic, a prudent monetary policy maintained over a protracted period of time can contain the forces of inflation.''

There are several problems with this optimistic assessment. First, efficient central bankers will never replace the invisible hand of a commodity monetary standard. Second, using government price indices to measure the success of a managed fiat currency should not be reassuring. These indices can be arbitrarily altered to imply a successful monetary policy. Also, price increases of consumer goods are not a litmus test for measuring the harm done by the money managers at the Fed. The development of overcapacity, excessive debt, and speculation still occur, even when prices happen to remain reasonably stable due to increases in productivity and technology.

Chairman Greenspan makes his argument because he hopes he is right that sound money is no longer necessary and also because it is an excuse to keep the inflation of the money supply going for as long as possible, hoping a miracle will restore sound growth to the economy. But that is only a dream. We are now faced with an economy that is far from robust and may get a lot worse before rebounding.

If not now, the time will soon come when the conventional wisdom of the last 90 years since the Fed was created will have to be challenged. If the conditions have changed and the routine of fiscal and monetary stimulation do not work, we better prepare ourselves for the aftermath of a failed dollar system, which will not be limited to the United States.

An interesting headline appeared in The New York Times on July 31: ''Commodity Costs Soar But Factories Don't Bustle.'' What is observed here is a sea change in attitude by investors, shifting their investments, funds and speculation into things of real value and out of financial areas such as stocks and bonds. This shift shows that in spite of the most aggressive Fed policy in history in the past 3 years, the economy remains sluggish and interest rates are actually rising.

What can the Feds do? If this trend continues, there is very little they can do. Not only do I believe this trend will continue; I believe it is likely to accelerate. This policy plays havoc with our economy, reduces revenues, prompts increases in Federal spending, increases in deficits and debt occur, and interest costs rise compounding our budgetary woes.

The set of circumstances we face today is unique and quite different from all the other recessions the Federal Reserve has had to deal with. Generally, interest rates are raised to slow the economy and dampen price inflation. At the bottom of the cycle, interest rates are lowered to stimulate the economy. But this time around the recession came in spite of a huge significant interest rate reduction by the Fed. This aggressive policy did not prevent the recession, as was hoped. So far it has not produced the desired recovery. Now we are at the bottom of the cycle and interest rates not only cannot be lowered, they are rising.

This is a unique and dangerous combination of events. This set of circumstances can only occur with fiat money and indicates that further manipulation of the money supply and interest rates by the Fed will have little effect at all. The odds are not very good that the Fed will adopt a policy of not inflating the money supply because of some very painful consequences that would occur.

Also, there would be a need to remove the pressure on the Fed to accommodate the big spenders in Congress. Since there are essentially only two groups that have any influence on spending levels, Big Government liberals and Big Government conservatives, that is not about to happen. Poverty is going to worsen due to our monetary and fiscal policies, so spending on the war on poverty will accelerate. Our obsession with policing the world, nation-building, and preemptive war are not likely to soon go away since both Republican and Democrat leaders endorse them. Instead, the cost of defending the American empire is going to accelerate.

A country that is getting poorer cannot pay these bills with higher taxation, nor can they find enough excess funds for the people to loan to the government. The only recourse is for the Federal Reserve to accommodate and monetize the Federal debt. And that, of course, is inflation.

It is now admitted that the deficit is out of control, with next year's deficit reaching over $1 trillion, not counting the billions borrowed from the trust funds, like Social Security. I am sticking to my prediction that within a few years the national debt will increase over $1 trillion in one fiscal year.

So far so good. No big market reactions, the dollar is holding its own, and the administration and congressional leaders are not alarmed. But they ought to be.

I agree it would be politically tough to bite the bullet and deal with our extravagance, both fiscal and monetary, but the repercussions here at home from a loss of confidence in the dollar throughout the world will not be a pretty sight to behold. I do not see any way we are going to avoid the crisis.

We do have some options to minimize the suffering. If we decided to, we could permit some alternatives to the current system of money and banking we have today. Already we took a major step in this direction. Gold was illegal to own between 1933 and 1976. Today, millions of Americans do own gold. Gold contracts are legal, but a settlement of any dispute is always in Federal Reserve notes. This makes gold contracts of limited value. For gold to be an alternative to Federal Reserve notes, taxes on any transaction in gold must be removed, both sales and capital gains. Holding gold should be permitted in any pension fund, just as dollars are permitted in a collecting account of these funds.

Important point. Repeal of all legal tender laws is a must. Sound money never requires the force of legal tender laws. Only paper money requires such laws.

These proposals, even if put in place tomorrow, would not solve the problems we face. It would, though, legalize freedom of choice in money. And many who worry about having their savings wiped out by a depreciating dollar would at least have another option. This option would ease some of the difficulties that are surely to come from run-away deficits in a weakened economy with skyrocketing inflation.

Curbing the scope of government and limiting its size to that prescribed in the Constitution is the goal that we should seek, but political reality makes this option available to us only after a national bankruptcy has occurred. We need not face that catastrophe. What we need is to strictly limit the power of government to meddle in our economy and our personal affairs and stay out of the internal affairs of other nations.

It is no coincidence that during the period following the establishment of the Federal Reserve and the elimination of the gold standard a huge growth in the size of the Federal Government and its debt occurred. Believers in Big Government, whether or not on the left or right, vociferously reject the constraints on government growth that gold demands.

Liberty is virtually impossible to protect when the people allow their governments to print money at will. Inevitably, the left will demand more economic interventionism, the right more militarism and empire building. Both sides, either inadvertently or deliberately will foster corporatism, those whose greatest interest in liberty and self-reliance are lost in the shuffle. Those left and right have different goals and serve different special interest groups are only too willing to compromise and support each other's programs.

If unchecked, the economic and political chaos that comes from currency destruction inevitably leads to tyranny, a consequence of which the founders were very much aware. For 90 years we have lived with the Central Bank, with the last 32 years absent of any restraint on money creation. The longer the process lasts, the faster the

printing presses have to run in an effort to maintain stability. They are currently running at record rates.

It was predictable and is understandable that our national debt is now expanding at a record rate. The panicky effort of the Fed to stimulate economic growth does produce what is considered favorable economic reports, recently citing a second quarter growth this year at 3.1 percent. But in the footnotes we find that military spending, almost all of which went overseas, was up an astounding 46 percent.

□ 1645

This, of course, represents deficit spending financed by the Federal Reserve's printing press, in the same quarter, after tax corporate profits fell 3.4 percent. This is hardly a reassuring report on the health of our economy, and merely reflects the bankruptcy of our current economic policy.

Real economic growth will not return until confidence in the entire system is restored. That is impossible as long as it depends on the politicians not spending too much money and the Federal Reserve limiting its propensity to inflate our way to prosperity. Only sound money and limited government can do that.

PRAYER IN AMERICA

The SPEAKER pro tempore (Mr. CARTER). Under the Speaker's announced policy of January 7, 2003, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes.

Mr. BARTLETT of Maryland. Mr. Speaker, this morning we began our session here with a prayer. That was prayer to a God. We did the Pledge of Allegiance to the flag, and in that Pledge of Allegiance we recognized that this was a Nation under God. And inscribed in marble above your chair, Mr. Speaker, are the words ''In God We Trust.''

Now, while we opened our session with prayer today and recognized God in our Pledge of Allegiance to the flag and recognized there is a God in that inscription in marble above your chair, at the same time we have removed the Ten Commandments that that God wrote from a courthouse in Alabama.

Mr. Speaker, we appear to be a Nation conflicted. We pray in this House. Just at the other end of this Capitol, every day the Senate is opened with prayer. I understand the Supreme Court prays to open their session, and in many public events we have a prayer. In most athletic events there is a prayer before the event. Our military has chaplains of just about every religion. But in our society the only place where prayer is conspicuously absent is our schools, another reflection, Mr. Speaker, of the confliction of our society.

To understand how we got here and how we can open our session with prayer and recognize in our Pledge of Allegiance that this Nation is under God and have that inscription above your chair ''In God We Trust,'' and still to remove the Ten Commandments under court order from a courthouse in Alabama, I think we need to go back and review who we are and how we got here.

Mr. Speaker, freedom is not free. Five of the 55 signers of our Declaration of Independence were captured and executed by the British. Nine of them died on the battlefields of the Revolutionary War, and another dozen lost their homes, possessions and fortunes to British occupation.

Today, much of what our Founding Fathers fought and died for is at risk of being lost. The major reason for that is that there are three big lies that are about in the land today, and for the next few minutes I want to look back at our history to refute these three lies that I think are the basis for the conflicts in our society which allows us to pray to a God here, recognize him in our Pledge of Allegiance, and is inscribed above your desk, and still to remove the Ten Commandments from the courthouse. These three big lies are that our Founding Fathers were largely atheists and deists, that they wanted to establish a nonChristian Nation, and in that first amendment they sought to erect a big wall of separation between church and State.

This history, of course, begins in 1776 with the Declaration of Independence. In that Declaration of Independence was a radical departure from the norms of the time. We read those words, or recite those words if we have memorized them, and they do not have the same meaning to us as they had to them because we did not come out of the milieu from which they came. Today, of course, our citizens are children of immigrants from every part of the world, but our Founding Fathers came largely from the British Isles and the European Continent. Thinking back to the history at that time, essentially all of those countries were ruled by a king or emperor who incredibly, from our perspective, claimed and was granted divine rights. What that meant was that the rights came from God to the king, and the king or emperor would then give what rights he wished to his people.

Now, in our Declaration of Independence we broke with that, because we said all men are created equal. Notice the reference to a God, a Creator, in that Declaration of Independence, that all men are created equal. That was a startling statement to make because in the countries from which they came, all people were not created equal. They made a break from that and said that all men are created equal and endowed by their Creator with certain inalienable rights. Among these are life, liberty, and the pursuit of happiness.

Now, 11 years later, and it took 11 years for the promise of the Declaration of Independence to meet the fulfillment of the Constitution, the Constitution was written. In that Constitution they sought to put down in very plain words the fundamental principles that they espoused in the Declaration of Independence, that all men are created equal, that the fundamental rights belong to the people, and they belong to the people because they were given to the people by God. Our Constitution does not give us any rights. Those rights were given to us by our God. The best that our Constitution can do is to say we are not going to permit another person to take those rights away from us.

But the ink was hardly dry on the Constitution before they wondered if people would really understand that they meant that the fundamental rights, most of the rights belonged to the people, and so they wrote 12 amendments that started through the process of two-thirds of the House and two-thirds of the Senate, and then three-fourths of the State legislatures. Ten of them made it through that process, and we call those the Bill of Rights. If Members look through the first through the tenth, in many of them, the rights of the people are specifically mentioned; but where the rights of the people are not mentioned in those words, it is clearly the rights of the people that are being protected by these amendments.

Now how did we go from a government, a Constitution that was created by God-fearing people who recognized God in their Declaration of Independence and who sought in their Constitution and those first 10 amendments, to make sure that those God-given rights were never taken from us, how did we come to a society so conflicted as we are today? I think it is because of the three great lies that are about in our country today: that our Founding Fathers were atheists and deists, that they sought to establish a nonChristian Nation, and they wanted to erect a big wall of separation between church and State.

What I want to do now for the next few minutes is to go back into our history and let our Founding Fathers speak for themselves.

Let us see what the courts said. We will take a brief look at some things which the Congress did and said, and then we will look at our schools and what they were at the beginning of our country.

We can look all we want in the Declaration of Independence and the Constitution for those words, a wall of separation between church and State or separation between church and State. Those words do not appear in either the Declaration of Independence or in our Constitution. And so we looked in constitutions to see where we could find those words, and we do find them. We find them in the Constitution of the United Soviet Socialist Republic, article 124. It says there, ''In order to ensure citizens' freedom of conscience, the church in the USSR is separated from the state and the schools from the church.''

Those words may appear in their constitution, but they do not appear in our Constitution anywhere, so how did we get here? To refute these lies then that our Founding Fathers were atheists and deists, and they sought to establish a nonChristian Nation, let us let the Founding Fathers speak for themselves.

Patrick Henry is called the firebrand of the American Revolution. His words ''Give me liberty or give me death'' every school child knows, but I would submit that the textbook from which those words appear for your child in his school have been bled dry of any reference to the Christian church origin of these words. These were spoken in St. John's Church, Richmond, Virginia, on March 23, 1775. This is what Patrick Henry said. ''An appeal to arms and the God of hosts is all that is left us, but we shall not fight our battle alone, there is a just God that presides over the destinies of nations. The battle, sir, is not to the strong alone. Is life so dear or peace so sweet as to be purchased at the price of chains and slavery, forbid it, Almighty God. I know not what course others may take, but as for me, give me liberty or give me death.''

Was Patrick Henry a Christian? The following year, 1776, he wrote this. ''It cannot be emphasized too strongly or too often that this great Nation was founded not by religionists but by Christians, not on religions but on the gospel of Jesus Christ. For that reason alone, people of other faiths have been afforded freedom of worship here.''

Benjamin Franklin was said to be a deist. Now a deist is said to be a person who believes that there is a God but does not bother praying to him, and this God is very powerful, he created the universe and he created this world, and he also set in place certain physical laws, and your destiny will be determined by how you relate to those laws, so do not bother praying to God. That is what a deist is. Let me read something about Benjamin Franklin and you tell me, Mr. Speaker, if you think he was a deist. The year is 1787. We are in Philadelphia and the Constitutional Convention is deadlocked. There may not be a Constitution.

One of the issues was how to prevent big States from abusing the small States, and Benjamin Franklin, 82 years of age, the Governor of Pennsylvania, perhaps the oldest and most revered person in that Constitutional Convention, rose to speak. And this is what that deist said, and I cannot image how Members could conclude he is deist from these words. ''In the days of our contest with Great Britain when we were sensible of danger, we had daily prayer in this room for divine protection. Our prayers, sir, were heard and they were graciously answered. All of us who were engaged in the struggle must have observed frequent instances of superintending providence in our favor. To that kind providence, we owe this happy opportunity to establish our Nation. And have we now forgotten that powerful friend? Do we imagine we no longer need his assistance? I have lived, sir, a long time, and the longer I live, the more convincing proofs I see of this truth, that God governs in the affairs of men. If a sparrow cannot fall to the ground without His notice, is it probable that a new Nation cannot rise without his aid? We have been assured, sir, in the sacred writings that except the Lord build the house, they labor in vain that build it. I therefore beg leave to move that henceforth prayers imploring the assistance of heaven and its blessings on our deliberations be held in this assembly every morning before we proceed to any business.''

□ 1700

That precedent, Mr. Speaker, we honor today because we began today our session with prayer. Every day we do that.

Thomas Jefferson was also said to be a deist. This is what he said:

''I am a real Christian. That is to say, a disciple of the doctrines of Jesus. I have little doubt that our whole country will soon be rallied to the unity of our creator, and I hope to the pure doctrine of Jesus, also.''

On slavery, Jefferson wrote, ''Almighty God has created men's minds free. Commerce between master and slave is despotism. I tremble for my country when I reflect that God is just and his justice cannot sleep forever.''

George Washington, our first President:

''It is impossible to govern the world without God and the Bible. Of all of the dispositions and habits that lead to political prosperity, our religion and morality are the indispensable supporters. Let us with caution indulge the supposition, that is, the notion or idea, that morality can be maintained without religion. Reason and experience both forbid us to expect that our national morality can prevail in exclusion of religious principle.''

What would he have thought of removing the Ten Commandments from that courthouse in Alabama? In Washington's prayer book, he wrote:

''O eternal and everlasting God, direct my thoughts, words and work, wash away my sins in the immaculate blood of the lamb, and purge my heart by thy Holy Spirit. Daily frame me more and more in the likeness of thy son, Jesus Christ, that living in thy fear and dying in thy favor, I may in thy appointed time obtain the resurrection of the justified unto eternal life. Bless, O Lord, the whole race of mankind and let the world be filled with the knowledge of thee and thy son, Jesus Christ.''

John Adams, our second President, was also President of the American Bible Society and this is what he said:

''We have no government armed with the power capable of contending with human passions unbridled by morality and true religion.''

And now listen to these words:

''Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other.''

What would he say about removing the Ten Commandments from that courthouse in Alabama?

John Jay, our first Supreme Court Justice:

''Providence has given to our people the choice of their rulers, and it is the duty as well as the privilege and interest of our Christian Nation to select and prefer Christians for their rulers.''

That is our first Supreme Court Justice. What would he say about the refusal of our Supreme Court today to hear this case?

John Quincy Adams, son of John Adams, also President of the American Bible Society and, by the way, he told his friends that he valued his presidency of the American Bible Society above his presidency of the United States. These are his words:

''The highest glory of the American revolution was this. It connected in one indissolvable bond the principles of civil government with the principles of Christianity. From the day of the declaration, they, that is, the founders were bound by the laws of God which they all acknowledged as their rules of conduct.''

And then somewhat later on, Calvin Coolidge, Silent Cal, a President of very few words. He was known for this. I understand that at one banquet a lady sat next to him, and she told the President that she had made a wager with one of her friends that she could get the President to say at least three words that evening. He responded to her and his response was the only words that he uttered that evening and those words were, ''You lose.''

Calvin Coolidge said, ''America seeks no empires built on blood and forces. She cherishes no purpose save to merit the favor of Almighty God.'' He later wrote, ''The foundations of our society and our government rest so much on the teachings of the Bible that it would be difficult to support them if faith in these teachings would cease to be practically universal in our country.''

We could quote from a great many more of our Founding Fathers. Essentially all of them made comments like this. But let us turn now to our courts, to the Supreme Court.

In 1811, there was a case the People v. Ruggles. This was a person who had publicly slandered the Bible. This case got to the Supreme Court and this is what they said:

''You have attacked the Bible. In attacking the Bible, you have attacked Jesus Christ. In attacking Jesus Christ, you have attacked the roots of our Nation. Whatever strikes at the root of Christianity manifests itself in the dissolving of our civil government.''

What would that court say about the removal of the Ten Commandments from the courthouse in Alabama?

In 1845, there was a case Vida v. Gerrand. This was a lady teacher who

was teaching morality without using the Bible. I have no idea how that case got to the Supreme Court, but it did, and this is what they said:

''Why not use the Bible?'' This is the Supreme Court. ''Why not use the Bible, especially the New Testament? It should be read and taught as a divine revelation in the schools. Where can the purest principles of morality be learned so clearly and so perfectly as from the New Testament?''

And then in 1892, the Church of the Holy Spirit had made the contention that Christianity was not the faith of the people and that came to the Supreme Court and this is what they said:

''Our laws and our institutions must necessarily be based upon and embody the teachings of the redeemer of mankind. It is impossible that they should be otherwise; and in this sense and to this extent our civilization and our institutions are emphatically Christian.'' This is the Supreme Court. ''No purpose of action against our religion can be imputed to any legislature, State or national, because this is a religious people. This is historically true. From the discovery of this continent to this present hour, there is a single voice making this affirmation.''

The justices went on citing 87 different legal precedents to affirm that America was formed as a Christian Nation by believing Christians.

What happened? In 1947, a Supreme Court enlarged by Franklin Delano Roosevelt from seven to nine did a 180-degree about-face, and they repudiated 160 years of precedents in a ruling which talked about this wall of separation between church and State. They misunderstood as many today what our Founding Fathers hoped to accomplish by that first amendment.

We might spend a moment looking at why that was the first amendment. Our Founding Fathers did not come here to get rich. As a matter of fact, many of them left riches to come here to get freedom. Freedom from what? There were two tyrannies that they came here to escape, some one, some the other, and some both. One was the tyranny of the church. In England, the Episcopal Church was empowered by the state so it could oppress other religions. On the European continent, it was the Roman Church that was empowered by the state so that it had the power to oppress other religions. And then, of course, there was the tyranny of the crown, this divine right of kings and emperors. I think it is no accident that in 1791 when our Founding Fathers wanted to make crystal clear what they meant in the Constitution, they wanted to say explicitly in those first 10 amendments what was implicit in the Constitution, that the first two addressed these two tyrannies from which they sought to protect themselves. It is very interesting that the establishment clause of the first amendment, that Congress should enact no law relative to the establishment of a religion, that a major architect of that was a Roman Catholic, Charles Carroll, for whom Carroll Creek in Frederick County is named, for whom Carroll County in northern Maryland is named. You see, in old Virginia, Roman Catholics could not vote and in colonial Maryland, not only could Roman Catholics not vote but Jews could not vote. To their great credit, our Founding Fathers recognized when it came time to write the Constitution, and those first 10 amendments, that that is not what they came here to do, to discriminate, to deny, and so they chose a person who had been discriminated against, a Roman Catholic, to be a major architect of that first amendment. Clearly what they wanted to do, and they say it over and over, and the courts have said it, that what they wanted to do was to prevent the State from empowering any one religion so that it could oppress others. They had no fear of religion itself. They had no concern about people of religion being in government. They had no concern about God being in government. They mentioned God in the Declaration of Independence. We have ''In God We Trust'' on our coins today and every bill that you carry in your purse. We began this day with prayer. The Pledge of Allegiance to the flag, we recognize there is a God. ''In God We Trust'' is in marble over the chair of the Speaker. Clearly these are the roots of our country. How could we have wandered so far away?

Ever since 1947, no Supreme Court has ever gone back for any verdict dealing with this subject that repudiated 160 years of precedents before that.

Let us move now to the Congress and look at a couple of things that the Congress did and said. The first of these is in 1854. Humanism and Darwinism were sweeping the country and there was an assertion that America was not a Christian Nation. The Congress studied this for a year and after a year, on March 27 of 1854, the Senate Judiciary Committee issued its final report. These words are from that report:

''The first amendment clause speaks against an establishment of religion. The Founding Fathers intended by this amendment to prohibit an establishment of religion such as the Church of England presented or anything like it but they had no fear or jealousy of religion itself nor did they wish to see us an irreligious Nation.'' This is the Congress. I love these next words. With the time we spend in front of the television set, we no longer have a vocabulary or the ability to produce these kinds of phrases:

''They did not intend to spread over all the public authorities and the whole public action of the Nation the dead and revolting spectacle of atheistic apathy. Had the people during the revolution,'' and this is the Congress, the Senate, ''had the people during the revolution had a suspicion of any attempt to war against Christianity, that revolution would have been strangled in its cradle.''

At the time of the adoption of the Constitution and the amendments, the universal sentiment was that Christianity should be encouraged, just not any one sect or denomination. The object was not to substitute Judaism or Islam or infidelity but to prevent rivalry among the Christian denominations to the exclusion of others. ''Christianity must be considered as the foundation on which the whole structure rests. Laws will not have permanence or power without the sanction of religious sentiment, without the firm belief that there is power above us that will reward our virtues and punish our vices.''

Consistent with this philosophy, the Continental Congress bought 20,000 Bibles to distribute to their new citizens, and for 100 years, at the beginning of our country, this Congress appropriated money to send missionaries to the American Indians.

Let me read further from this report from the Congress:

''In this age, there can be no substitute for Christianity. By its great principles, the Christian faith is the great conserving element on which we must rely for the purity and permanence of our free institutions. That was the religion of the Founding Fathers of the Republic and they expected it to remain the religion of their descendants.''

□ 1715

Let us turn now to our schools. And the Congress in 1854 made this statement about our schools. It said: ''The Congress of the United States recommends and approves the Holy Bible for use in our schools.'' Consistent with that, it was used.

The New England Primer was used for over 200 years. Notice how they taught the alphabet.

''A. A wise son makes a glad father but a foolish son is heaviness to his mother.

B. Better is little with the fear of the Lord than abundance apart from him.

C. Come unto Christ, all you who are weary and heavily laden.

D. Do not do the abominable thing, which I hate, sayeth the Lord.

E. Except a man be born again, he cannot see the Kingdom of God.''

The ''McGuffey Reader,'' used for 100 years. Not too many years ago it was brought back to some of our schools when for a number of years the achievement scores had considerably dropped and we graduated over 1 million people who literally could not read their high school diplomas, and, out of desperation, they brought the ''McGuffey Reader'' back to some of the schools, because when we had that in our schools, the graduates could read when they graduated from school.

The ''McGuffey Reader.'' This is what it says: ''The Christian religion is the religion of our country. From it our derived our notions on the character of God and on the great moral Governor of the universe.'' This is the author of

the ''McGuffey Reader'': ''On its doctrines are founded the peculiarities of our free institutions. From no source has the author drawn more conspicuously than from the sacred scriptures. For all of these extractions from the Bible I make no apology.'' That is the author of the ''McGuffey Reader.''

Of the first 108 schools in our country, 106 were distinctly religious. The first of these was Harvard University, named after a beloved New England pastor, John Harvard.

This is what they said in their student handbook: ''Let every student be plainly instructed and earnestly pressed to consider well the main end of his life and studies is to know God and Jesus Christ, which is eternal life, John 17:3; and therefore to lay Jesus Christ as the only foundation of all sound knowledge and learning.''

For over 100 years, more than 50 percent of all of the graduates of Harvard University were pastors.

We now expose these three great lies: the wall of separation, those words appear only in the Constitution of the Soviet Republic. They are not in our Constitution, they were not intended by our Founding Fathers. Their only intent was to make sure that the state never empowered any one religion so that it could oppress others.

Clearly in letting the Founding Fathers and the courts and the Congress and the schools speak, it is very clear that our Founding Fathers were not atheists and deists, that they did intend to establish a religious Nation.

We have changed. What have we reaped? America 100 years ago had the highest literacy rate of any nation on Earth. Today we spend more on education than any other nation in the world, and yet since 1987 we have graduated more than 1 million high school students who cannot even read their diplomas.

We spent more money than any other nation in the industrialized world to educate our children, yet SAT scores fell for 24 straight years before finally leveling off at the bottom in the 1990s, and there they remain, if you watch your papers. There they remain at the bottom.

In a 1960 survey, 53 percent of America's teenagers had never kissed and 57 percent had never necked, that is to hug and kiss, and 92 percent of teenagers in America said they were virgins in 1960.

Just a little personal anecdote. I got my doctorate at the University of Maryland in 1952, just in this time period, in a little building at the highest point on the campus there, Memorial Hall, a brick building that still stands. Just over the hill from there were girls' dormitories, and the dean of women would not let the girls go barefoot because she said it was too sexy.

How have we changed? Today, instead of that, we have coed dorms, and I am afraid far too many coed rooms at the University of Maryland.

By 1990, just 30 years after 1960, 75 percent of American high school students are sexually active by 18. In the next 5 years, we spent $4 billion to educate them how to be immoral through trumpeting the solution of safe sex, and it worked. One in five teenagers in America today loses their virginity before their 13th birthday, and 19 percent of America's teenagers say they have had more than four sexual partners before graduation.

The result? Every day 2,700 students get pregnant, 1,100 get abortions, 1,200 give birth. Every day another 900 contract a sexually transmitted disease, many incurable. AIDS infection among high school students climbed 700 percent between 1990 and 1995. We have 3.3 million problem drinkers on our high school campuses, over half a million alcoholics in any given weekend in America. Thirty percent of the students population spends some time under the influence of alcohol.

A couple of years ago a young woman in a high school in Oklahoma wrote this poem as a new school prayer:

Now I sit me down in school
Where praying is against the rule.
For this great nation under God,
Finds mention of him very odd.
If scripture now the class recites
It violates the Bill of Rights.
Any time my head I bow
Becomes a Federal matter now.
Our hair can be purple, orange, or green.
That's no offense; it's a freedom scene.
The law is specific, the law is precise.
Only prayers spoken out loud are serious vice.
For praying in a public hall
Might offend someone who has no faith at all.
In silence alone we must meditate,
God's name is prohibited by the State.
We are allowed to cuss and dress like freaks,
And pierce our noses, tongues and cheeks.
They have outlawed guns, but FIRST the Bible.
To quote the Good Book makes me liable.
We can elect a pregnant Senior Queen,
And the 'unwed daddy' our Senior King.
It is inappropriate to teach right from wrong,
We are taught that such 'judgments' do not belong.
We can get our condoms and birth controls,
Study witchcraft, vampires and totem poles.
But the Ten Commandments are not allowed,
No word of God must reach this crowd.
It is scary here I must confess,
When chaos reigns the school's a mess.
So Lord, this silent plea I make:
Should I be shot, my soul please take.''

Our Nation, which used to lead the world in every arena, now leads the world in these areas:

We are number one in violent crime, number one in divorce, number one in teenage pregnancies, number one in abortion, number one in illegal drug abuse, and we are number one in the industrialized world for illiteracy.

Alexis de Tocqueville, who toured this country for 5 years, asked what was there about America that made it so special. He summed up his lengthy visit in 1831: ''I sought for the key to the greatness and genius of America in her great harbors, her fertile fields and boundless forests; in her rich minds and vast world commerce; in her universal public school system and institutions of learning. I sought for it in her democratic Congress and in her matchless Constitution.

''But not until I went into the churches of America and heard her pulpits flame with righteousness did I understand the secret of her genius and power. America is great because America is good; and if America ever ceases to be good, America will cease to be great.''

Would Alexis de Tocqueville understand why we took the Ten Commandments out of that courthouse in Alabama?

In 1863, Abraham Lincoln declared a National Day of Humiliation, and these are his words:

''We have been the recipients of the choicest bounties of Heaven. We have been preserved these many years in peace and prosperity. We have grown in numbers, wealth and powers as no other nation has ever grown.''

And, Mr. Lincoln, the growth from then on has been uninterrupted and today we are something that you could not even have imagined then.

''But we have forgotten God,'' he says. ''We have forgotten the gracious Hand, which preserved us in peace and multiplied and enriched us; and we have vainly imagined in the deceitfulness of our hearts that all these blessings were produced by some superior wisdom and virtue of our own.''

Could you have a clearer description of where largely we are today in our attitudes?

''Intoxicated with unbroken success, we have become too self-sufficient to feel the necessity of redeeming and preserving Grace, too proud to pray to the God that made us. It behooves us then to humble ourselves before the offended Power, to confess our national sins and to pray for clemency and forgiveness.''

Abraham Lincoln said this to our Nation. We need to hear it again: ''It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion, that we here highly resolve that these dead shall not have died in vain, that this Nation, under God, shall have a new birth of freedom.''

Most of this present generation have not forgotten from whence we came. They never knew. Our textbooks have been bled dry of any reference to the Christian heritage of our country.

Abraham Lincoln understood that this Nation was a new experiment, that it might not be successful, because four score and seven years later, and if you do the arithmetic that takes you back to the Declaration of Independence, four score and seven years ago our fathers founded on this continent a new Nation, conceived in liberty and dedicated to the proposition that all men are created equal. We are now engaged in a great war, testing whether that nation or any nation so conceived and so dedicated can long endure.

Then he went on to say they were met on a great battlefield of that nation and we come here to dedicate that to those who fought and died here.

Then he ends that Gettysburg Address with almost a prayer: ''This government of the people, by the people, and for the people, shall not perish from the Earth.''

Let me end with where I started. We opened our day's business today in this House with prayer; we did the Pledge of Allegiance to the Flag, in which we recognized that we are in a Nation under God; and over the Speaker's Chair inscribed in marble in large letters are the words ''In God We Trust.'' And yet at the same time we now have required the removal of His commandments from that courthouse in Alabama.

I submit that if our textbooks had not been bled dry of the Christian heritage of our country, if in fact our leaders today would go back and read the Federalist Papers to understand the milieu in which our Constitution was written, that they would understand very clearly that our Founding Fathers never could have imagined that we would have interpreted that Establishment Clause as requiring freedom from religion, and that is what they are trying to do. They clearly meant it to assure freedom of religion.

Those are two very different concepts, Mr. Speaker, and my prayer is, my hope is, that our leaders today will go back for a refresher course in our history, look again at our Founding Fathers and who they were and what they stood for and what they fought and what they died for and what they said and what they did in their Congress and what they did in their Supreme Court and what we taught in our schools.

If we did that, Mr. Speaker, those Ten Commandments would be hauled back as quickly as one could to that courthouse in Alabama, because their presence there clearly is not at any variance with any of the principles of our Founding Fathers.

As a matter of fact, Mr. Speaker, they would be appalled that we had so misinterpreted their assurance that never should the State empower any religion so that can could oppress others. They would ask us, How could you have misunderstood? Didn't we make it clear to you that we were talking about an establishment of religion? Wasn't it clear from all of our personal statements, from all of what we did in our courts, from what we said in our Congress, that we believed that God was essential in our Nation?

Certainly children should pray in schools. Certainly the Ten Commandments should be in public places. We are a Christian Nation, established by Christian people, and I hope, Mr. Speaker, that our leadership in our courts and in our Congress and in all of our States go back and review our history so they can understand from whence we came, because if we do not, Mr. Speaker, go back and understand from whence we came, I am concerned about where we are going.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LEACH (at the request of Mr. DELAY) for today on account of attending a family funeral.

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. RYAN of Ohio) to revise and extend their remarks and include extraneous material:)

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

Mr. DEFAZIO, for 5 minutes, today.

Ms. LEE, for 5 minutes, today.

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

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

Mr. SOUDER, for 5 minutes, September 9, 10, and 11.

ADJOURNMENT

Mr. BARTLETT of Maryland. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until Tuesday, September 9, 2003, at 12:30 p.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:

3978. A letter from the Acting Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral John J. Totushek, United States Naval Reserve, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

3979. A communication from the President of the United States, transmitting a report on the temporary and permanent U.S. military personnel and U.S. individual civilians retained as contractors involved in supporting Plan Colombia; to the Committee on Armed Services.

3980. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report on transactions involving U.S. exports to Iraq pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3981. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicaid Program; Time limitation on Price Recalculations and Recordkeeping Requirements Under the Drug Rebate Program [CMS-2175-FC] (RIN: 0938-AM20) received September 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3982. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Qatar for defense articles and services (Transmittal No. 03-20), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3983. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Egypt for defense articles and services (Transmittal No. 03-27), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3984. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Egypt for defense articles and services (Transmittal No. 03-30), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3985. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Israel for defense articles and services (Transmittal No. 03-31), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3986. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Bahrain for defense articles and services (Transmittal No. 03-19), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3987. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Jordan for defense articles and services (Transmittal No. 03-26), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3988. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Saudi Arabia for defense articles and services (Transmittal No. 03-28), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3989. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Jordan for defense articles and services (Transmittal No. 03-21), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3990. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Pakistan for defense articles and services (Transmittal No. 03-18), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3991. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Jordan for defense articles and services (Transmittal No. 03-34), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3992. A letter from the Executive Director, Consumer Product Safety Commission,

transmitting the Commission's inventories of Commercial and Inherently Governmental Activities for Year 2003 as pursuant to the Federal Activities Inventory Reform Act; to the Committee on Government Reform.

3993. A letter from the Director, Office of White House Liason, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3994. A letter from the Director, Office of White House Liason, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3995. A letter from the Director, Office of White House Liason, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3996. A letter from the Director, Office of White House Liason, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3997. A letter from the Director, Office of White House Liason, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3998. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report on federal vacancy Presidentially-appointed Senate-confirmed, position of Chief Financial Officer; to the Committee on Government Reform.

3999. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's Strategic Plan for Fiscal Years 2003 through 2008; to the Committee on Government Reform.

4000. A letter from the Deputy United States Trade Representative, Executive Office of the President, transmitting a report on the pending accession to the World Trade Organization of the Kingdom of Cambodia; to the Committee on Government Reform.

4001. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a report entitled ''Competitive Sourcing; Conducting Public-Private Competition in a Reasoned and Responsible Manner''; to the Committee on Government Reform.

4002. A letter from the Acting Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for 60 Plant Species from the Islands of Maui and Kahoolawe, Hawaii (RIN: 1018-AH70) received May 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4003. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the redesignation as ''foreign terrorist organizations'' pursuant to Section 219 of the Immigration and Nationality Act, as added by the Antiterrorism and Effective Death Penalty Act of 1996, and amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, and by the USA PATRIOT Act of 2001; to the Committee on the Judiciary.

4004. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; AeroSpace Technologies of Australia Pty Ltd. Models N22B and N24A Airplanes [Docket No. 2003-CE-04-AD; Amendment 39-13239; AD 2003-14-20] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4005. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation Model S76A, B, and C Helicopters [Docket No. 2002-SW-39-AD; Amendment 39-13237; AD 2003-14-18] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4006. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Model 382G Series Airplanes [Docket No. 2000-NM-326-AD; Amendment 39-13235; AD 2003-14-16] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4007. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200F, 747-200C, 747-300, 747-400, 747-400D, 747-400F, and 747SR Series Airplanes [Docket No. 2000-NM-55-AD; Amendment 39-13234; AD 2003-14-15] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4008. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 and -145 Series Airplanes [Docket No. 2000-NM-257-AD; Amendment 39-13244; AD 2003-15-02] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4009. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pilatus Aircraft Ltd. Models PC-12 and PC-12/45 Airplanes [Docket No. 2002-CE-51-AD; Amendment 39-13226; AD 2003-14-07] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4010. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Corporation (formerly Allison Engine Company, Allison Gas Turbine Division, and Detroit Diesel Allison) Models 250-C30R/3, -C30R/3M, -C47B, and -C47M Turboshaft Engines [Docket No. 2003-NE-23-AD; Amendment 39-13210; AD 2003-13-10] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4011. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-200, -300, and -300F Series Airplanes [Docket No. 2002-NM-34-AD; Amendment 39-13245; AD 2003-15-03] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4012. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-200, -200C, -300, -400, and -500 Series Airplanes [Docket No. 2003-NM-165-AD; Amendment 39-13225; AD 2003-14-06] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4013. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aeropatiale Model ATR42 Series Airplanes and Model ATR72 Series Airplanes [Docket No. 2001-NM-280-AD; Amendment 39-13232; AD 2003-14-13] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4014. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aeropatiale Model ATR72 Series Airplanes [Docket No. 2001-NM-401-AD; Amendment 39-13233; AD 2003-14-14] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4015. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767 Series Airplanes [Docket No. 2001-NM-395-AD; Amendment 39-13228; AD 2003-14-09] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4016. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. 2001-NM-50-AD; Amendment 39-13236; AD 2003-14-17] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4017. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-102, -103, -106, -201, -202, -301, -311, and -315 Airplanes [Docket No. 2001-NM-391-AD; Amendment 39-13241; AD 2003-14-22] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4018. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-200 and -300 Series Airplanes [Docket No. 2002-NM-205-AD; Amendment 39-13229; AD 2003-14-10] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4019. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model SA-365N, N1, AS-365N2, AS 365 N3, SA-366G1, AS355F, F1, F2, N, and EC130 B4 Helicopters [Docket No. 2002-SW-49-AD; Amendment 39-13238; AD 2003-14-19] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4020. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB211-524G2, -524G2-T, -524G3, -524G3-T, -524H, -524H-T, -524H2, and -524H2-T Series, and Models RB211 Trent 768-60, 772-60, and 772B-60 Turbofan Engines [Docket no. 2003-NE-20-AD; Amendment 39-13242; AD 2003-14-23] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4021. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McCauley Propeller Systems, Inc. Propeller Hub Models B5JFR36C1101, C5JFR36C1102, B5JFR36C1103, and C5JFR36C1104 [Docket No. 2003-NE-32-AD; Amendment 39-13243; AD 2003-15-01] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4022. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hartzell Propeller, Inc. McCauley Propeller Systems, Sensenich Propeller Manufacturing Company, Inc., and Raytheon Aircraft Company Propellers [Docket No. 2003-NE-13-AD; Amendment 39-13219; AD 2003-13-17] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4023. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB21-22B Series Turbofan Engines [Docket No. 2002-NE-10-AD; Amendment 39-13213; AD 2003-13-12] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4024. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Israel Aircraft Industries, Ltd., Model 1124 and 1124A Series Airplanes [Docket No. 2003-NM-01-AD; Amendment 39-13188; AD 2003-12-03] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4025. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 777 Series Airplanes [Docket No. 2002-NM-64-AD; Amendment 39-13186; AD 2003-12-01] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4026. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Model ATP Airplanes [Docket No. 2002-NM-162-AD; Amendment 39-13187; AD 2003-12-02] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4027. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727-100 and 727-200 Series Airplanes [Docket No. 2001-NM-41-AD; Amendment 39-13178; AD 2003-11-19] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4028. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model AS332 C, L, and L1 Helicopters [Docket No. 2003-SW-13-AD; Amendment 39-13180; AD 2003-11-21] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4029. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200F, 747-200C, 747-300, 747SR, and 747SP Series Airplanes [Docket No. 2001-NM-394-AD; Amendment 39-13185; AD 2003-11-25] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4030. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Pilatus Aircraft Ltd. Models PC-12 and PC-12/45 Airplanes [Docket No. 2002-CE-53-AD; Amendment 39-13176; AD 2003-11-17] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4031. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dornier Model 328-100 Series Airplanes [Docket No. 2003-NM-102-AD; Amendment 39-13184; AD 2003-11-24] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4032. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt and Whitney PW4000 Series Turbofan Engines [Docket No. 2000-NE-47-AD; Amendment 39-13177; AD 2003-11-18] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4033. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Turmo IV A and IV C Series Turboshaft Engines [Docket No. 99-NE-12-AD; Amendment 39-13168; AD 2003-11-09] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4034. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440 Airplanes) [Docket No. 2000-NM-311-AD; Amendment 39-13179; AD 2003-11-20] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4035. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model SA-365N1; AS365-N2, AS 365 N3, and SA-366G1 Helicopters [Docket No. 2003-SW-20-AD; Amendment 39-13181; AD 2003-08-53] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4036. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; International Aero Engines AG (IAE) V2522-A5, V2524-A5, V2527-A5, V2527E-A5, V2527M-A5, and V2530-A5 Turbofan Engines [Docket No. 2003-NE-21-AD; Amendment 39-13183; AD 2003-11-23] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4037. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model MD-90-30 Airplanes [Docket No. 2001-NM-125-AD; Amendment 39-13174; AD 2003-11-15] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4038. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The New Piper Aircraft, Inc. Models PA-34-200T, PA-34-220T, PA-44-180, and PA-44-180T Airplanes [Docket No. 2003-CE-23-AD; Amendment 39-13173; AD 2003-11-14] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4039. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Model RB211 Turbofan Engines [Docket No. 2002-NE-12-AD; Amendment 39-13182; AD 2003-10-03R1] (RIN: 2120-AA64) received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4040. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No. 30380; Amdt. No. 443] received August 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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. H.R. 2620. A bill to authorize appropriations for fiscal years 2004 and 2005 for the Trafficking Victims Protection Act of 2000, and for other purposes; with an amendment (Rept. 108–264 Pt. 1). Ordered to be printed.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. 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; with an amendment (Rept. 108–265). Referred to the Committee of the Whole House on the State of the Union.

Mr. OXLEY: Committee on Financial Services. H.R. 253. A bill to amend the National Flood Insurance Act of 1968 to reduce losses to properties for which repetitive flood insurance claim payments have been made; with an amendment (Rept. 108–266). Referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2620. Referral to the Committee on the Judiciary extended for a period ending not later than September 29, 2003.

PUBLIC BILLS AND RESOLUTIONS

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

By Ms. HART:

H.R. 3016. A bill to combat terrorism financing, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on International Relations, and Financial Services, 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 Ms. KILPATRICK:

H.R. 3017. A bill to amend title 49, United States Code, to clarify certain Buy America provisions; to the Committee on Transportation and Infrastructure.

By Mr. EVANS:

H.R. 3018. A bill to amend title 10, United States Code, to permit members of the Selected Reserve the use of Reserve Montgomery GI Bill education benefits for payment for licensing or certification tests; to the Committee on Armed Services.

By Mr. MCGOVERN:

H.R. 3019. A bill to amend title 10, United States Code, to increase the military death gratuity from $6,000 to $12,000 and to provide that such death gratuity shall be excluded from gross income under the Internal Revenue Code of 1986; to the Committee on Ways and Means, and in addition to the Committee on Armed Services, 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. ACEVEDO-VILA:

H.R. 3020. A bill to authorize construction of a new (replacement) medical center for the Department of Veterans Affairs in the Commonwealth of Puerto Rico at a site to be selected pursuant to a study by the Secretary of Veterans Affairs and Secretary of Defense as suitable for a new Federal medical center in the Commonwealth of Puerto Rico that would best serve the needs of both veterans and Department of Defense medical beneficiaries in Puerto Rico; to the Committee on Veterans' Affairs.

By Mr. ACEVEDO-VILA:

H.R. 3021. A bill to authorize a major medical facility project at the San Juan, Puerto Rico, Department of Veterans Affairs medical center; to the Committee on Veterans' Affairs.

By Mr. BROWN of Ohio:

H.R. 3022. A bill to protect children's health by ensuring that chickens and chicken products purchased for national school nutrition programs have not been fed or administered fluoroquinolone antibiotics; to the Committee on Education and the Workforce.

By Mr. BROWN of Ohio (for himself, Mrs. JONES of Ohio, Mr. MICHAUD, and Mr. KLECZKA):

H.R. 3023. A bill to authorize the construction and operation of regional reserves of gasoline, for use as a response to acute gasoline price increases resulting from accidents or other physical disruptions to regional supplies of gasoline; to the Committee on Energy and Commerce.

By Mr. BUYER:

H.R. 3024. A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940 to provide protections to servicemembers who terminate motor vehicle or residential leases entered into before permanent change of station or deployment orders or motor vehicle leases entered into before military service; to the Committee on Veterans' Affairs.

By Mr. HINOJOSA:

H.R. 3025. A bill to amend the Internal Revenue Code of 1986 to extend the deduction from gross income for certain expenses of elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. MEEHAN (for himself and Mr. WEINER):

H.R. 3026. A bill to amend chapter 89 of title 5, United States Code, and chapter 55 of title 10, United States Code, to provide that any health benefits plan which provides obstetrical benefits shall be required also to provide coverage for the diagnosis and treatment of infertility; to the Committee on Government Reform, and in addition to the Committee on Armed Services, 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. MENENDEZ (for himself and Mr. CONYERS):

H.R. 3027. A bill to require the Federal Communications Commission to report to Congress regarding the ownership and control of broadcast stations used to serve language minorities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ROHRABACHER:

H.R. 3028. A bill to amend the Water Resources Development Act of 1986 to expand the authority of non-Federal interests to levy harbor fees; to the Committee on Transportation and Infrastructure.

By Mr. SCOTT of Georgia (for himself, Mr. NORWOOD, Mr. KINGSTON, Mr. MARSHALL, Mr. ISAKSON, Mr. LEWIS of Georgia, Mr. DEAL of Georgia, Ms. MAJETTE, Mr. BISHOP of Georgia, Mr. BURNS, Mr. COLLINS, Mr. GINGREY, and Mr. LINDER):

H.R. 3029. A bill to designate the facility of the United States Postal Service located at 255 North Main Street in Jonesboro, Georgia, as the ''S. Truett Cathy Post Office Building''; to the Committee on Government Reform.

By Mr. OSBORNE (for himself, Mr. BOEHNER, Mr. CASTLE, Mr. UPTON, and Mr. WILSON of South Carolina):

H.R. 3030. A bill to amend the Community Service Block Grant Act to provide for quality improvements; to the Committee on Education and the Workforce.

By Mr. STUPAK:

H.R. 3031. A bill to provide a 10 percent increase in the rate of basic pay for members of the uniformed services, effective January 1, 2004, to pay a one-time bonus to members of the Armed Forces who served or serve in a combat zone designated for Operation Iraqi Freedom or Operation Enduring Freedom, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Transportation and Infrastructure, 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. WALSH (for himself, Mr. RANGEL, Mr. BOEHLERT, Mrs. MCCARTHY of New York, Mr. HOUGHTON, Mr. ACKERMAN, Mr. KING of New York, Mr. CROWLEY, Mr. SERRANO, Mrs. LOWEY, Mr. SWEENEY, Mr. HINCHEY, Mr. MEEKS of New York, Mr. NADLER, Mr. QUINN, Mr. ENGEL, Mr. ISRAEL, Mr. MCNULTY, Mrs. MALONEY, Mr. WEINER, Mr. TOWNS, Mr. REYNOLDS, Mr. MCHUGH, Mr. FOSSELLA, Mr. BISHOP of New York, Mrs. KELLY, Ms. SLAUGHTER, Mr. OWENS, and Ms. VELAZQUEZ):

H.R. 3032. A bill to provide support for the Daniel Patrick Moynihan Global Affairs Institute; to the Committee on Education and the Workforce.

By Mr. WALSH:

H.R. 3033. A bill to extend to Nepal certain preferential treatment with respect to apparel articles; to the Committee on Ways and Means.

By Mr. YOUNG of Florida (for himself, Mr. BILIRAKIS, and Mr. TOWNS):

H.R. 3034. A bill to amend the Public Health Service Act to reauthorize the National Bone Marrow Donor Registery, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HYDE (for himself, Mr. SMITH of New Jersey, and Mr. LANTOS):

H. Res. 356. A resolution expressing the sense of the House of Representatives regarding the man-made famine that occurred in Ukraine in 1932-1933; to the Committee on International Relations.

By Mr. MILLER of Florida (for himself, Mr. REYES, Mr. BACA, Mr. BEREUTER, Mr. BERMAN, Mr. BROWN of Ohio, Mr. CASE, Mr. DREIER, Mr. FEENEY, Mr. FOLEY, Mr. FOSSELLA, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GREENWOOD, Mr. HALL, Mr. HINOJOSA, Ms. JACKSON-LEE of Texas, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Mr. KINGSTON, Mrs. MALONEY, Mrs. MCCARTHY of New York, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNULTY, Mrs. NAPOLITANO, Mr. OSBORNE, Mr. PITTS, Mr. QUINN, Mr. SCOTT of Georgia, Mr. SERRANO, Mr. SCHIFF, Mr. SHIMKUS, Mr. SIMMONS, Mr. SKELTON, Mr. SMITH of Michigan, Mr. STEARNS, Mr. RYAN of Ohio, Mr. TERRY, Mr. THOMPSON of Mississippi, Mrs. JONES of Ohio, Mr. UPTON, Mr. WALSH, Mr. WILSON of South Carolina, Mr. WOLF, and Mr. YOUNG of Florida):

H. Res. 357. A resolution honoring the life and legacy of Bob Hope; to the Committee on Government Reform.

By Mr. WEXLER (for himself, Ms. SCHAKOWSKY, Mr. DELAHUNT, Mr. BROWN of Ohio, Mr. HASTINGS of Florida, Mr. ABERCROMBIE, Mr. ACKERMAN, Ms. LEE, Mr. HOEFFEL, Mr. BELL, Mr. MEEKS of New York, Ms. WATSON, and Mr. EMANUEL):

H. Res. 358. A resolution of inquiry requesting the President to transmit to the House of Representatives not later than 14 days after the date of adoption of this resolution the report prepared for the Joint Chiefs of Staff entitled ''Operation Iraqi Freedom Strategic Lessons Learned''and other materials relating to the Administration's planning for the reconstruction and security of post-war Iraq; to the Committee on Armed Services, and in addition to the Committee on International Relations, 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.

ADDITIONAL SPONSORS

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

H.R. 31: Mrs. EMERSON and Mr. VITTER.

H.R. 37: Mr. WALSH.

H.R. 58: Mr. ROSS, Mr. MCDERMOTT, and Mr. PETERSON of Minnesota.

H.R. 97: Mr. LARSEN of Washington, Mr. ACKERMAN, Mr. THOMPSON of Mississippi, Mr. CLYBURN, Ms. DELAURO, Mr. CROWLEY, Mr. TOWNS, Mr. BONNER, Mr. PASCRELL, Mr. ORTIZ, Mr. RODRIGUEZ, Mr. FROST, Mr. SESSIONS, and Ms. BERKLEY.

H.R. 106: Mr. PAUL.

H.R. 111: Mr. LIPINSKI and Mr. SCOTT of Georgia.

H.R. 206: Mr. VITTER.

H.R. 278: Mr. VITTER.

H.R. 442: Mr. VAN HOLLEN.

H.R. 527: Mr. GERLACH and Mr. RUPPERSBERGER.

H.R. 548: Mr. BARTON of Texas, Mr. MOLLOHAN, Mr. FORD, and Mr. MILLER of North Carolina.

H.R. 736: Ms. HOOLEY of Oregon.

H.R. 745: Mr. POMEROY.

H.R. 798: Ms. HART and Mr. LEWIS of Kentucky.

H.R. 832: Ms. CORRINE BROWN of Florida and Mr. DAVIS of Illinois.

H.R. 833: Mr. ROGERS of Kentucky.

H.R. 839: Mr. HOLDEN, Mr. BERMAN, Ms. CORRINE BROWN of Florida, Mr. GREEN of Wisconsin, Mr. WEINER, Mr. CRENSHAW, Mr. DEUTSCH, Mr. KENNEDY of Rhode Island, and Mr. VITTER.

H.R. 870: Mr. NUSSLE.

H.R. 887: Mr. HOYER.

H.R. 920: Mrs. MCCARTHY of New York, Mr. ACEVEDO-VILA, Mr. BRADY of Pennsylvania, Ms. JACKSON-LEE of Texas, and Mr. TOWNS.

H.R. 927: Mr. JOHNSON of Illinois.

H.R. 962: Mr. CUMMINGS, Ms. MCCARTHY of Missouri, Mr. NEAL of Massachusetts, Mr.

UDALL of New Mexico, Mr. KLECZKA, Mr. KANJORSKI, Mr. PAYNE, and Mr. MENENDEZ.

H.R. 978: Mr. MORAN of Virginia.

H.R. 996: Mr. KING of Iowa.

H.R. 1046: Mr. DELAHUNT.

H.R. 1070: Ms. LOFGREN.

H.R. 1105: Mr. DOGGETT.

H.R. 1118: Mr. LAHOOD, Mr. OLVER, and Mr. FEENEY.

H.R. 1137: Mr. NEUGEBAUER and Mr. SIMPSON.

H.R. 1155: Mr. RAMSTAD, Mr. CAMP, and Mr. LEWIS of Kentucky.

H.R. 1160: Mr. COLE and Mr. HUNTER.

H.R. 1195: Ms. GINNY BROWN-WAITE of Florida.

H.R. 1210: Mr. BACA and Ms. ESHOO.

H.R. 1220: Mr. DEMINT.

H.R. 1264: Ms. LEE.

H.R. 1305: Mr. OSE, Mr. HENSARLING, Mr. TIBERI, and Mr. WELDON of Pennsylvania.

H.R. 1306: Mr. RUSH.

H.R. 1310: Mr. GUTKNECHT, Mr. CARTER, Mr. MICHAUD, Mr. FEENEY, Mr. BRADLEY of New Hampshire, Mr. JONES of North Carolina, and Mr. CRENSHAW.

H.R. 1322: Mr. RUPPERSBERGER, Mr. WYNN, Mrs. CHRISTENSEN, Ms. KILPATRICK, Mr. MARKEY, Mr. MEEHAN, Mr. MCINTYRE, Mr. LANTOS, Mr. PALLONE, Mr. THOMPSON of Mississippi, Mrs. MALONEY, Mr. FROST, Mr. CUMMINGS, and Ms. VELAZQUEZ.

H.R. 1336: Ms. LORETTA SANCHEZ of California.

H.R. 1340: Mrs. DAVIS of California and Mr. BAIRD.

H.R. 1372: Mr. BONILLA, Mr. CALVERT, Mr. ENGLISH, and Mr. BOEHLERT.

H.R. 1385: Mr. NUNES and Ms. DUNN.

H.R. 1414: Ms. ESHOO.

H.R. 1608: Mrs. JO ANN DAVIS of Virginia.

H.R. 1622: Mr. BROWN of South Carolina, Mr. BISHOP of Georgia, Mr. POMEROY, Mr. KENNEDY of Rhode Island, Mr. CLYBURN, and Mr. WU.

H.R. 1639: Mr. MARKEY, Mr. FRANK of Massachusetts, Mr. ANDREWS, Mr. HONDA, and Mr. DEFAZIO.

H.R. 1688: Mr. HOYER.

H.R. 1709: Mr. KLECZKA.

H.R. 1738: Mr. DUNCAN.

H.R. 1749: Mr. HEFLEY, Mr. MANZULLO, Mrs. KELLY, Mr. ALLEN, Mr. SHAW, Mr. FLETCHER, Ms. DELAURO, Mr. LATOURETTE, Mr. BOOZMAN, and Mr. LAMPSON.

H.R. 1776: Mr. ISTOOK and Mr. BOEHLERT.

H.R. 1819: Mr. ALEXANDER and Mr. TIERNEY.

H.R. 1828: Mr. DEMINT, Mr. RYUN of Kansas, Mr. SANDERS, Mr. SMITH of Washington, and Mr. MEEKS of New York.

H.R. 1873: Ms. LOFGREN.

H.R. 1943: Mr. FATTAH.

H.R. 1997: Mr. BARTON of Texas.

H.R. 2042: Mr. REYES, Mr. MICHAUD, Mr. SERRANO, Mrs. JONES of Ohio, Mrs. LOWEY, Mr. LANTOS, Mr. RUSH, and Mr. THOMPSON of California.

H.R. 2045: Mr. WELDON of Florida, Mr. BLUNT, Mr. EVERETT, Mr. TURNER of Ohio, Mr. FRANKS of Arizona, Mr. FORBES, Mr. RAMSTAD, Mr. BARTON of Texas, and Mr. GARRETT of New Jersey.

H.R. 2071: Ms. JACKSON-LEE of Texas, Mr. PASTOR, Mr. BELL, Mr. OLVER, Mr. FILNER, Mr. TERRY, and Ms. KILPATRICK.

H.R. 2172: Mr. SHIMKUS and Mr. SIMMONS.

H.R. 2173: Ms. JACKSON-LEE of Texas, Mr. ABERCROMBIE, Mrs. CAPPS, Ms. ROS-LEHTINEN, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. SANDLIN.

H.R. 2236: Mr. ROGERS of Kentucky.

H.R. 2295: Mr. MCDERMOTT and Mr. POMEROY.

H.R. 2363: Mr. RUPPERSBERGER.

H.R. 2399: Mr. BURR and Mr. ROGERS of Michigan.

H.R. 2402: Mr. FILNER.

H.R. 2482: Ms. WOOLSEY.

H.R. 2490: Mrs. JONES of Ohio, Mr. BROWN of Ohio, and Mr. BAKER.

H.R. 2505: Ms. LOFGREN.

H.R. 2512: Mr. KING of New York.

H.R. 2527: Mr. FILNER.

H.R. 2533: Mr. NORWOOD, Mr. GINGREY, Mr. DEAL of Georgia, Mr. COLLINS, Ms. MAJETTE, Mr. BISHOP of Georgia, Mr. LEWIS of Georgia, and Mr. MARSHALL.

H.R. 2557: Mr. OBERSTAR and Mr. COSTELLO.

H.R. 2569: Ms. SCHAKOWSKY.

H.R. 2592: Mr. DOOLEY of California.

H.R. 2601: Ms. LEE and Mr. HONDA.

H.R. 2621: Mr. WEXLER.

H.R. 2632: Mr. ROGERS of Kentucky.

H.R. 2633: Mr. GEORGE MILLER of California.

H.R. 2671: Mr. COLE, Mr. THORNBERRY, and Mr. ISSA.

H.R. 2685: Mr. CONYERS, Mr. BOEHLERT, Mr. DEUTSCH, Mr. KENNEDY of Rhode Island, Mr. SENSENBRENNER, and Mr. SMITH of Texas.

H.R. 2694: Mrs. MCCARTHY of New York, Mr. EMANUEL, Mr. KIND, Mr. KLINE, and Mr. LOBIONDO.

H.R. 2702: Mr. WAMP.

H.R. 2704: Mr. PASCRELL and Ms. ESHOO.

H.R. 2705: Mr. EVANS and Mr. EDWARDS.

H.R. 2706: Mr. THOMPSON of Mississippi, Mr. SHAW, Mr. JONES of North Carolina, Mrs. MYRICK, Mr. DUNCAN, and Mr. FORD.

H.R. 2719: Mr. WAXMAN, Mr. MORAN of Virginia, Mr. FROST, Mr. FOLEY, Mr. BURR, Mr. DUNCAN, Mr. LATOURETTE, Mr. GORDON, Mr. LEWIS of Kentucky, Mrs. JOHNSON of Connecticut, Mr. WOLF, Mr. HAYES, Mrs. MYRICK, Mr. WEXLER, Mr. MCINTYRE, Ms. ESHOO, Mr. SMITH of Washington, and Mr. BISHOP of New York.

H.R. 2720: Mr. LAHOOD, Mr. JOHNSON of Illinois, Mr. ROGERS of Michigan, Mr. DINGELL, Mr. CONYERS, and Mr. RYAN of Ohio.

H.R. 2735: Ms. GINNY BROWN-WAITE of Florida

H.R. 2747: Mr. MCINNIS.

H.R. 2809: Mr. SOUDER.

H.R. 2810: Mr. SOUDER.

H.R. 2821: Mrs. MCCARTHY of New York, Mr. MEEHAN, and Mr. BALLENGER.

H.R. 2823: Mr. PAUL, Mr. WICKER, Ms. CORRINE BROWN of Florida, Mr. WEXLER, Mr. RODRIGUEZ, Mrs. MCCARTHY of New York, and Mr. WILSON of South Carolina.

H.R. 2824: Mr. FRANK of Massachusetts.

H.R. 2828: Mr. FILNER.

H.R. 2885: Mr. TANCREDO, and Ms. GINNY BROWN-WAITE of Florida.

H.R. 2898: Mr. FEENEY.

H.R. 2900: Mr. BALLENGER, Mr. GOODE, Mr. BURR, Mr. BOYD, Mr. SULLIVAN, Mr. REYNOLDS, Mr. SOUDER, and Mrs. MYRICK.

H.R. 2904: Mr. MCDERMOTT and Mr. BAIRD.

H.R. 2905: Mr. MEEHAN, Mr. PETERSON of Minnesota, Mr. LATOURETTE, Mr. GORDON, Mr. KILDEE, and Mr. WILSON of South Carolina.

H.R. 2928: Mrs. CAPITO, Mr. CUMMINGS, Mr. JONES of North Carolina, Mr. RANGEL, Mr. SIMMONS, and Mrs. JO ANN DAVIS of Virginia.

H.R. 2932: Mr. GEORGE MILLER of California, Ms. SCHAKOWSKY, Mr. SERRANO, and Mr. DEFAZIO.

H.R. 2944: Ms. CORRINE BROWN of Florida and Mr. FILNER.

H.R. 2949: Mr. DICKS.

H.R. 2950: Mr. CRAMER, Mr. BAKER, and Mr. VITTER.

H.R. 3014: Mr. MEEHAN.

H.J. Res. 38: Mr. MCDERMOTT.

H.J. Res. 62: Mr. FROST.

H. Con. Res. 76: Mr. BLUMENAUER and Mr. NETHERCUTT.

H. Con. Res. 202: Mr. ACEVEDO-VILA and Mr. FALEOMAVAEGA.

H. Con. Res. 265: Mr. FORBES, Mr. FROST, and Mr. WALSH.

H. Res. 291: Mr. BLUMENAUER.

H. Res. 307: Ms. ESHOO, Mr. SMITH of Washington, Mr. VAN HOLLEN, Mr. LEVIN, Mr. SNYDER, Mr. OWENS, Mr. LARSON of Connecticut, Mr. FATTAH, Mr. MICHAUD, and Ms. LORETTA SANCHEZ of California.

H. Res. 331: Mr. MCDERMOTT and Mr. WOLF.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, FIRST SESSION

Vol. 149 WASHINGTON, FRIDAY, SEPTEMBER 5, 2003 No. 121

Senate

The Senate met at 9:15 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Light of light, we thank You for a new day with all its shades, shadows, and sunshine. Strengthen us for the opportunities and challenges ahead. Lord, keep us from murmuring and complaining, as we face life's inevitable setbacks. Thank You for blessing us beyond what we deserve for life, for love, for liberty. Forgive us when we seek to be served instead of striving to serve. Empower our leaders today, that the end of this day will find them unashamed. Establish Your reign among us, and let truth and unity prevail. We pray this in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore 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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning we will resume consideration of the Labor-HHS appropriations bill. Beginning at 9:30 this morning, there will be two consecutive votes in relation to amendments to this appropriations bill. The first vote will be in relation to Senator CLINTON's amendment on a bioterrorism workforce, and the second will be in relation to the Harkin amendment on school renovation. Following those votes, the chairman and ranking member are prepared to remain and debate further amendments.

As we have indicated previously, we need and plan on finishing this bill as soon as possible. There are additional appropriations bills that are now ready for full Senate action, and once this bill is completed we will be proceeding to those bills. We need to continue to work in an orderly way, which has been demonstrated over the course of this week. Today I know will be a very productive day, as will Monday.

It is my hope we can finish Labor-HHS, this appropriations bill, no later than Tuesday, and with the cooperation of Members working together, this is indeed still possible. This will require votes this morning. There will be just these two votes this morning. Again, debate will continue throughout the course of the day. We will be voting late Monday afternoon. Specific times will be set later today. There may be multiple votes on Monday. I will have more to say on Monday's schedule later today, as we see what amendments are offered and which will be appropriate to vote on on Monday.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDENT pro tempore. The assistant Democratic leader.

VOTING SCHEDULE

Mr. REID. Mr. President, we worked the day before yesterday and yesterday and did come up with a finite list of amendments on our side and on the majority's side. The respective staffs worked closely together, and we now have a list. We were hopeful last night we could have had that put into a unanimous consent request. We have been told that the issue holding that up has been the request that we had to have an overtime vote on Tuesday when all four Presidential candidates will be here.

I will say, through the Chair to the majority leader, from the first day I started talking, as did Senator HARKIN, to the Republican manager, the senior Senator from Pennsylvania, we acknowledged that we wanted to have a vote on Tuesday. So it is not anything that is new or unique that we have been setting that time aside tentatively.

We would hope that before we leave here this morning, we can have some kind of agreement to that effect. Otherwise, we will do our best to cooperate, but we certainly need that vote. We think it would be the right thing to do to have as many of our people here as possible when that vote occurs. As the leader knows, we have a few Republican votes on that, but with the margins as small as they are, it would be a very close vote. We should have everyone whenever that vote occurs.

We have been acting in very good faith. It was hard to get agreement on our side. That is why I was hoping we could have it done last night. I do hope we can have that done today.

Senator DOMENICI and I have worked the Energy and water bill on many occasions. We feel we have a good bill. It is one I am glad the majority leader is going to move to quickly because we are going to have a very difficult conference with the House. There are some big issues we normally don't have to work with in our conference that are in dispute. I think we can finish that bill in a fairly short period of time. It is a bill that is very important to almost every Member.

The PRESIDENT pro tempore. The majority leader.

Mr. FRIST. In response to the assistant Democratic leader, scheduling is always a challenge. I appreciate the straightforward way he presents it because it is very clear that on the other side of the aisle there are a number of people running for the nomination for

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

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President and the candidates are participating in the political process. But we do have business here in the Senate. To try to dictate the schedule entirely around their candidacy for President is just impractical. I cannot do that. I want to be respectful as much as possible as we go forward. It is difficult. I want to be as accommodating as we possibly can in terms of votes, allowing people to participate.

On the other hand, we need to keep business going. We have made great progress in terms of the amendments on our side and on the other side, getting them down to a manageable number. Some might question ''a manageable number,'' but to a number that we can work with. I appreciate that. That is what it is going to take in order to bring real focus to this bill.

In terms of agreeing to when we will vote on, indeed, a very complicated and complex issue at a specific time, at a day that is most convenient because of political candidates running around the country, especially since that amendment has not even yet been offered, is something we can't do at this time. That was explained to the other side of the aisle. That should not slow things down at all. But again, there is an orderly process. When the amendment is provided and debated, we have a lot of people who will want to speak on that. Again, the issue is a very important one.

We are making real progress. I am pleased where we are in terms of having this manageable group of amendments. Systematically, we will be going through those over the course of the day and Monday and Tuesday. Hopefully, we will complete the bill.

Mr. REID. If I may briefly reply, we shared the amendment Senator HARKIN is going to offer with Senator SPECTER and Republican staff. The question is when he should offer it. He could have offered it last night. He will offer it today. Everyone has had the opportunity to see the amendment.

We are respectful of the majority leader's problems in trying to set schedules. That is why, when we have had very close votes, we have not asked for revotes when our people come back. It is not often we have asked to have a vote at a certain time, but we have telegraphed, so to speak, our punch and let everyone know we were trying to get something lined up for Tuesday. I hope we can do that. With the number of amendments we have, as the leader knows, we can finish the bill very quickly or it can take a long time. We hope on Tuesday we can have that vote to work toward ending debate on this very important bill.

RESERVATION OF LEADER TIME

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

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2660, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2660) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

Pending:

Specter amendment No. 1542, in the nature of a substitute.

Byrd amendment No. 1543 (to amendment No. 1542), to provide additional funding for education for the disadvantaged.

Akaka amendment No. 1544 (to amendment No. 1542), to provide funding for the Excellence in Economic Education Act of 2001.

Mikulski amendment No. 1552 (to amendment No. 1542), to increase funding for programs under the Nurse Reinvestment Act and other nursing workforce development programs.

Kohl amendment No. 1558 (to amendment No. 1542), to provide additional funding for the ombudsman program for the protection of vulnerable older Americans.

Kennedy amendment No. 1566 (to amendment No. 1542), to increase student financial aid by an amount that matches the increase in low- and middle-income family college costs.

Dodd amendment No. 1572 (to amendment No. 1542), to provide additional funding for grants to States under part B of the Individuals with Disabilities Education Act.

Harkin amendment No. 1575 (to amendment No. 1542), to provide additional funding for the Fund for the Improvement of Education.

DeWine amendment No. 1561 (to amendment No. 1542), to provide funds to support graduate medical education programs in children's hospitals.

DeWine amendment No. 1560 (to amendment No. 1542), to provide funds to support poison control centers.

DeWine amendment No. 1578 (to amendment No. 1542), to provide funding for the Underground Railroad Education and Cultural Program.

Clinton amendment No. 1565 (to amendment No. 1542), to provide additional funding to ensure an adequate bioterrorism preparedness workforce.

The PRESIDENT pro tempore. Under the previous order, until the hour of 9:30 a.m., the time will be equally divided between the two bill managers or their designees.

In my capacity as a Senator from Alaska, I suggest the absence of a quorum and ask the clerk to call the roll. The time will be charged against both sides.

Without objection, it is so ordered.

The legislative clerk proceeded to call the roll.

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

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

Mr. HARKIN. Mr. President, I understand the first vote this morning will be on the Harkin amendment; is that true?

The PRESIDENT pro tempore. The first vote will be on the Clinton amendment, No. 1565, to be followed by the amendment of the Senator from Iowa, No. 1575.

AMENDMENT NO. 1575

Mr. HARKIN. Mr. President, I want to speak a couple minutes on my amendment. The amendment we will be voting on has to do with school construction. Actually 3 years ago, this Congress appropriated almost $1 billion for school construction around the United States. This money has gone out to States all over the country. Some of it has been used and some of it still is going out for construction and renovation purposes. But what it has done is leveraged for every Federal dollar about $15 or $20 of local money. So we are getting a heck of a bang for the buck by putting money into school construction and renovation. That happened in Iowa, and it is happening in every other State in the country.

The American Society of Civil Engineers 3 years ago gave a report card on the infrastructure of America, and they gave the schools a D minus, the lowest grade of any category, lower than sewer and water and highways and everything else. They said schools were a D minus 3 years ago. Just yesterday they came out with their report card again and said there has been no progress at all.

The PRESIDENT pro tempore. The Senator's time has expired. The time was equally divided before 9:30. The Senator's time has expired. Under the previous agreement, the time before 9:30 was equally divided between the Senator from Iowa and the Senator from Pennsylvania.

The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I am very sympathetic to the objectives sought by the Senator from Iowa. In the past, on budget resolutions in prior years, I have supported using Federal funds on school construction. But the difficulty this year is that there is no money available for this line. Senator HARKIN and I, on a bipartisan basis, have worked out the allocation of $137 billion. I would like to have money for school construction, but it simply isn't there.

It was not included in the budget resolution this year. It has always been highly controversial to pass this body, and it was only Senator D'Amato and Senator CAMPBELL and I who supported it in the past, when Senator HARKIN spearheaded this effort along with Carol Moseley-Braun. This is one of the many laudable objectives I would like to see funded. I fought hard for a larger allocation from the subcommittee. I would be glad to join Senator HARKIN in supporting this measure, but as manager it is my duty to stay within the confines of the bill and within the confines of the allocation. So it is with regret that I have to raise a point of order.

Mr. President, I raise a point of order under section 504 of the concurrent resolution on the budget for fiscal year

2004 that the amendment exceeds the discretionary spending limits specified in this section and therefore is not in order.

The PRESIDENT pro tempore. Which amendment is the point of order raised against?

Mr. SPECTER. Mr. President, that was raised against the amendment to be voted on first, which has already been noted by the Chair, the amendment of Senator CLINTON.

Similarly, I raise a point of order under section 504 of the concurrent resolution for fiscal year 2004 that the amendment of Senator HARKIN exceeds the discretionary spending limits and therefore is not in order.

The PRESIDENT pro tempore. So the Senator has made a point of order under each of the amendments?

Mr. SPECTER. That is correct.

Mr. HARKIN. Mr. President, pursuant to section 504(b)(2) of House Concurrent Resolution 95, the concurrent resolution on the budget for fiscal year 2004, I move to waive section 504 of that concurrent resolution for the purpose of the pending amendment, and also for the amendment that I offered, which would be following this vote at 9:30 on the Clinton amendment.

The PRESIDENT pro tempore. Without objection, the two motions are received.

Mr. HARKIN. Mr. President, I ask for the yeas and nays on both amendments.

The PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

VOTE ON AMENDMENT NO. 1565

The PRESIDENT pro tempore. The question is on agreeing to the motion with respect to amendment No. 1565.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Tennessee (Mr. ALEXANDER), the Senator from Illinois (Mr. FITZGERALD), the Senator from Texas (Mrs. HUTCHISON), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Alabama (Mr. SHELBY) are necessarily absent.

Mr. REID. I announce that the Senator from Louisiana (Mr. BREAUX), the Senator from North Dakota (Mr. DORGAN), the Senator from North Carolina (Mr. EDWARDS), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Georgia (Mr. MILLER), and the Senator from Florida (Mr. GRAHAM) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''yea''.

The result was announced—yeas 41, nays 47, as follows:

[Rollcall Vote No. 328 Leg.]

YEAS—41

Akaka	Biden	Byrd
Baucus	Bingaman	Cantwell
Bayh	Boxer	Clinton
Conrad	Jeffords	Nelson (FL)
Corzine	Johnson	Nelson (NE)
Daschle	Kennedy	Pryor
Dayton	Kohl	Reed
Dodd	Landrieu	Reid
Durbin	Lautenberg	Rockefeller
Feingold	Leahy	Sarbanes
Feinstein	Levin	Schumer
Harkin	Lincoln	Stabenow
Hollings	Mikulski	Wyden
Inouye	Murray	

NAYS—47

Allard	Crapo	McCain
Allen	DeWine	McConnell
Bennett	Dole	Nickles
Bond	Domenici	Roberts
Brownback	Ensign	Santorum
Bunning	Enzi	Sessions
Burns	Frist	Smith
Campbell	Graham (SC)	Snowe
Carper	Grassley	Specter
Chafee	Gregg	Stevens
Chambliss	Hagel	Sununu
Cochran	Hatch	Talent
Coleman	Inhofe	Thomas
Collins	Kyl	Voinovich
Cornyn	Lott	Warner
Craig	Lugar	

NOT VOTING—12

Alexander	Fitzgerald	Lieberman
Breaux	Graham (FL)	Miller
Dorgan	Hutchison	Murkowski
Edwards	Kerry	Shelby

The PRESIDENT pro tempore. On this question, the yeas are 41, the nays are 47. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

VOTE ON AMENDMENT NO. 1575

The PRESIDENT pro tempore. Under the previous order, we will now proceed to a vote on the point of order made against the Harkin amendment, amendment No. 1575. The yeas and nays have been ordered.

There is a previous order for 5 minutes of debate equally divided in the usual form prior to the second vote. Who yields time?

Mr. SPECTER. Mr. President, we know there are many Members anxious to depart for planes, and Senator HARKIN and I have decided to yield back our time and proceed directly to the vote.

The PRESIDENT pro tempore. Without objection, it is so ordered. All time is yielded back.

The question is on agreeing to the motion. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Tennessee (Mr. ALEXANDER), the Senator from Texas (Ms. HUTCHISON), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Alabama (Mr. SHELBY) are necessarily absent.

Mr. REID. I announce that the Senator from Louisiana (Mr. BREAUX), the Senator from North Dakota (Mr. DORGAN), the Senator from North Carolina (Mr. EDWARDS), the Senator from Florida (Mr. GRAHAM), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Georgia (Mr. MILLER) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''yea.''

The PRESIDING OFFICER (Mr. CHAFEE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 43, nays 46, as follows:

[Rollcall Vote No. 329 Leg.]

YEAS—43

Akaka	Durbin	Mikulski
Baucus	Feingold	Murray
Bayh	Feinstein	Nelson (FL)
Biden	Harkin	Nelson (NE)
Bingaman	Hollings	Pryor
Boxer	Inouye	Reed
Byrd	Jeffords	Reid
Cantwell	Johnson	Rockefeller
Carper	Kennedy	Sarbanes
Clinton	Kohl	Schumer
Conrad	Landrieu	Snowe
Corzine	Lautenberg	Stabenow
Daschle	Leahy	Wyden
Dayton	Levin	
Dodd	Lincoln	

NAYS—46

Allard	DeWine	McCain
Allen	Dole	McConnell
Bennett	Domenici	Nickles
Bond	Ensign	Roberts
Brownback	Enzi	Santorum
Bunning	Fitzgerald	Sessions
Burns	Frist	Smith
Campbell	Graham (SC)	Specter
Chafee	Grassley	Stevens
Chambliss	Gregg	Sununu
Cochran	Hagel	Talent
Coleman	Hatch	Thomas
Collins	Inhofe	Voinovich
Cornyn	Kyl	Warner
Craig	Lott	
Crapo	Lugar	

NOT VOTING—11

Alexander	Graham (FL)	Miller
Breaux	Hutchison	Murkowski
Dorgan	Kerry	Shelby
Edwards	Lieberman	

The PRESIDING OFFICER. On this vote, the yeas are 43, the nays are 46. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

Mr. REID. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I ask unanimous consent to set aside the pending amendments.

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

AMENDMENT NO. 1580 TO AMENDMENT NO. 1542

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for himself, Mr. KENNEDY, Mr. DASCHLE, Ms. MIKULSKI, Mrs. CLINTON, Mr. EDWARDS, Mrs. MURRAY, Mr. CORZINE, Mr. BYRD, Mr. REID, Mr. SCHUMER, Mr. LAUTENBERG, Mr. KERRY, Mr. LIEBERMAN, Mr. FEINGOLD, Mr. SARBANES, Mr. DODD, Ms. STABENOW, Mr. LEAHY, Mr. DURBIN, Mr. AKAKA, Mr. DAYTON, Mr. PRYOR, Mr. REED, and Mr. NELSON of Florida, proposes an amendment No. 1580 to amendment No. 1542.

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

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

The amendment is as follows:

On page 23, between lines 15 and 16, insert the following:

SEC. ____. None of the funds provided under this Act shall be used to promulgate or implement any regulation that exempts from the requirements of section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) any employee who is not otherwise exempted pursuant to regulations under section 13 of such Act (29 U.S.C. 213) that were in effect as of September 3, 2003.

Mr. HARKIN. Mr. President, this is an amendment about which I spoke at some length yesterday and the day before on the floor. Others spoke on it also. This is the amendment that would preclude the administration from issuing final proposed regulations that would take away the right of up to 8 million to 10 million Americans to get overtime pay if they work over 40 hours a week.

Just to recap for a minute, earlier this year, sort of under the cover of darkness, without one hearing, the Department of Labor issued proposed regulations to modify the Fair Labor Standards Act that would basically modify, in a very drastic manner, how employers would decide who was covered under overtime law and who was not.

Now, again, this has been in existence since 1938. We have had some changes in it since that time, but none as sweeping as the Administration has proposed this spring and that would result in millions of working Americans losing their overtime pay protection.

The Department of Labor has said this only affects about 644,000 workers. Well, they're only counting the people are currently, routinely work overtime and receive overtime pay. There are about 8 to 10 million people who are qualified to get overtime pay, but they are not working overtime.

Again, if an employer were to ask them to work overtime, then they would get time and a half. Well, this pending regulation would take that away for many workers. And then we'll see their employers require them to work longer hours, without pay.

The first wave of people who will be most affected by this will be working women, women who work on a salary basis, maybe as accountants, working in banks, insurance companies, whatever, women who have children in childcare, daycare centers. Now they are going to be asked to work longer hours with no more pay, but they are going to have to continue to pay more for childcare. This is antiworker. This is antifamily. And its bad economics.

Obviously, if I am an employer, and I don't have to pay overtime pay, and I can work people longer than 40 hours a week, I'm not going to hire new people.

And I will—not today; I know others want to speak this morning—but when we come back next week I will be laying out in even more detail how it is that American workers are working longer than workers in all other industrialized countries, and now they are being asked to work longer without even being paid for it.

I think this is one of the most crucial issues facing this Congress this year: whether we are going to sit back and let the administration change, sort of by fiat—not by legislation, not through the hearing process and the developing of legislation and the votes here—but just through rules and regulations, to just wipe out—wipe out—the protections 8 to 10 million working Americans have to guarantee that if they have to work over 40 hours a week, they are going to get at least time-and-a-half overtime. Just wipe out the 40-hour work week, that has been law for 65 years now.

Mr. REID. Will the Senator yield for a question?

Mr. HARKIN. Yes, I am delighted to yield to the assistant leader.

Mr. REID. As the Democratic manager of this bill, it has been your intention, has it not, to have this as, if not the most important vote, one of the most important votes in this multibillion dollar bill? I think it is about a $125 billion bill you and Senator SPECTER are managing. So you consider this a very important vote?

Mr. HARKIN. I say to my friend from Nevada, I consider this—well, we have a lot in the bill for education, but in terms of what we are going to do to protect working Americans, to protect their families, and to ensure their right to get time-and-a-half overtime, this is the key vote.

Mr. REID. Will the Senator yield for another question?

Mr. HARKIN. I am delighted to.

Mr. REID. And it has been a fact that we have presented to the majority since Tuesday of this week the fact we were going to have our four Democratic Presidential aspirants here on Tuesday, and that we wanted to have a vote on this most important amendment on next Tuesday; is that right?

Mr. HARKIN. I say to the leader, yes, that is right. In fact, I was part of a conversation that took place on the floor just last evening regarding that. There were no surprises. The amendment I have offered I actually read into the RECORD yesterday so everyone knew what the amendment was. It has been out there. It is not a very convoluted amendment. It is just a very simple, straightforward amendment. So everyone knew what it was.

Since it is such an important issue, I think we all thought it would be advisable to have as many Senators here as possible to vote on this amendment. Therefore, as I understood it, there was at least some agreement made that we were going to vote next Tuesday on this amendment.

Mr. REID. Mr. President, will the Senator yield for another question?

Mr. HARKIN. Yes, I yield without losing my right to the floor.

Mr. REID. And we also worked very hard, with your staff principally and floor staff generally, to come up with a finite list of amendments Democrats wanted to offer; is that true?

Mr. HARKIN. That is my understanding. I saw the list. I think it was drawn up last night with a finite list of amendments, yes.

Mr. REID. I would finally say to my friend, the distinguished Democratic manager of this bill, the Senator would acknowledge, I am sure, we have been most cooperative in this most important piece of legislation. We have set amendments aside and moved to other amendments for the convenience of Senators.

It is my understanding the manager of this bill now feels so strongly about this overtime amendment, that now this amendment is laid down, and you are not going to agree to set this amendment aside to offer any other amendments; is that true?

Mr. HARKIN. The leader has it correct. I feel so strongly about this, and the fact that we worked with the leadership on the other side and on this side to try to get a finite list of amendments, to get a time certain on Tuesday to vote on this so there would be no surprises to anyone, and then I am told today that has fallen through for some reason. It was not my intention until now, but it is my intention. I have laid down the amendment. There are no more votes today. The leader on that side said there would be no more votes today, that we would have one vote or maybe two on Monday evening, I don't know on what. There are other things up there.

Mr. REID. Will the Senator yield on that issue?

Mr. HARKIN. Yes.

Mr. REID. We had two amendments lined up. We had one or more from the Senator from Louisiana, Ms. LANDRIEU. We had one on Head Start from the Senator from Connecticut, and we had one on libraries from Senator REED of Rhode Island. We had amendments lined up here that would be offered today and we would vote on those Monday.

Mr. HARKIN. But as I understand it, that cannot happen now. So it is my intention, since this is such a vitally important issue——

Mr. SPECTER. Mr. President, will the Senator from Iowa yield?

Mr. HARKIN. In just a second, as soon as I finish my statement.

Since there are no more votes today, and there are only going to be one or two votes on Monday, at the most—I don't know what is lined up—it is my intention that I will object to setting aside my amendment until such time as we have an up-or-down vote on it, which should occur on Tuesday, so there should not be any problem. But I will object to moving off this amendment for any other amendment.

Without losing my right to the floor, I yield to the Senator.

Mr. SPECTER. Mr. President, it is entirely likely the Senator from Iowa

can regain the floor. I would like to make a brief statement.

Mr. HARKIN. I was yielding without losing my right to the floor. I thought you wanted to ask me a question.

Mr. SPECTER. No, I didn't say that, but I agree that you maintain control of the floor.

Mr. HARKIN. Oh, OK.

Mr. SPECTER. And you are just yielding for a brief comment.

Mr. HARKIN. OK.

Mr. SPECTER. Mr. President, the assistant Democratic leader and the distinguished ranking member have been cooperative, I don't think realistically anything above and beyond the call of duty. Senator HARKIN is always cooperative, and so is Senator REID. We have been working on a list for some time and finally got the list late yesterday afternoon. But that was the first time a condition appeared that we would have to set a time certain for an amendment. That is the first time that occurred, and I found it rather surprising.

The Senator from Iowa made reference to an agreement. I don't think there ever had been an agreement as to a time on Tuesday. That would be my preference to accommodate the Democrats. But I think it is not inappropriate to say the calendar, as the Democrats wish it, revolves around the absence of their Members who are running for President, a lofty ambition. It even happened once to Senator HARKIN. It even happened once to me. But the Senate is in session on occasions when the people who run for President are not present.

I can understand your interest in wanting a time certain to have all your Members here. But in regular order, we debate amendments and we vote. In this august body, any Member can tie it up at any time. So that tries to produce comity. I think Senators REID and HARKIN and I have gone a long way to establish comity and try to get the business of the Senate done. I will continue.

There are concerns on this side of the aisle to set a time on that amendment. That is on the substance. There are also a lot of concerns about letting the absentee Democrats set the time. I am prepared to do that because that is the nature of our business here, and Senators do run for the office of President. But it is my hope that as we reflect on this matter over the weekend, cooperation will prevail on all sides, that we try to work to a time which is agreeable to the absentee Senators, that we do ultimately set aside amendments, and that we proceed to take care of the business of the Senate.

I am distressed to know that the amendments which were going to be offered are not now going to be offered. That enables me to return to Pennsylvania a little earlier today. I have a primary campaign in the general election. We are in the election cycle, but this is my day job, and I would be here as late as necessary to finish the work of the Senate.

As far as this week is concerned, on Tuesday we worked 6 hours 45 minutes and had two amendments on which to vote. And we thank the Democrats for offering them. On Wednesday we worked 9 hours 59 minutes, and on Thursday 10 hours 50 minutes. We have only had seven rollcall votes. Two amendments were accepted by voice vote, and we have 92 Democratic amendments and 27 Republican amendments pending. So we have a lot of work to do.

Senator HARKIN and I have worked seamlessly for more than a decade. I expect that to continue into next week. Senator REID has been a master at organizing the Senate. He has spent more time in the Senate Chamber in the last several years than any other Member. I complimented him privately yesterday about his efficiency. I do so publicly today.

I know there are partisan considerations. That is a part of the process. But I hope we can move ahead on Monday to finish this bill and accommodate all of the competing interests.

I thank my colleagues for yielding.

Mr. HARKIN. I say to my friend from Pennsylvania, who has been cooperative, as he said, we have worked together well over a decade. We have always worked these things out to make sure we get a bill through. We will this time also.

My point is that there were at least some conversations last night with leadership on both sides about accommodating schedules and having votes set up on Tuesday.

The fact is that nothing has hindered the progress of this bill because four Democrats are running for President. We have had votes every day. We haven't filibustered anything. We haven't done anything. We have offered our amendments. We have had good debates and discussions, and we have had up-or-down votes. We had two votes today. It was not my decision to have two votes today. I could have had four or five votes today. Someone else above my pay grade made the decision that we would have two votes today and go home.

It was not my decision that on Monday we will have one vote late in the day. Again, the leadership makes those decisions, not I. So Tuesday looks like a day when we will all be here. Everyone is going to be here. That is the day when we can get a lot accomplished.

We are making good progress on this bill. I say to my friend from Pennsylvania and others, when you look at the past, this is a big bill. This bill covers more spending and more Departments and Agencies of the Federal Government than any other bill considered in Congress. In terms of total spending, it is second only to Defense. But it covers a host of Agencies and Departments, more than the Defense Department does.

In the past, in 2001, we had 5 days of floor action on this bill; in 2000, we had 7 days; in 1999, 5 days. In 1998, it was passed in an omnibus, but in 1997, 9 days. So as you can see, it has always taken 5, 6, 7, 8 days to finish this bill because it covers so many different subjects.

We went on the legislation on Wednesday. Monday was Labor Day. We came in, by agreement of the leadership, with no votes on Tuesday. That was, again, not our decision. That was a leadership decision on the Republican side. So we had Wednesday and Thursday and two votes today. Basically, we have been on the bill, at least voting, really only 2 days. To say we are going to have another couple days or 2 or 3 days on this bill is not exorbitant. It is in line with what we have done in the past.

We would like to finish the bill as quickly as anyone. I think we have been very diligent in bringing up our amendments, offering them, and moving ahead.

Again, I will object to setting aside any other amendment until we vote on this because it is that important. Everyone is going to be here on Tuesday. So we can vote on it on Tuesday, and we can vote on a lot of other things on Tuesday, too, and get a lot of this bill finished on Tuesday when the maximum number of Senators will be here in the Chamber.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I know the Senator from New York is here to make a very important statement.

Let me say this: I appreciate the work of the Senator from Pennsylvania. He has done an outstanding job on this bill, and he and Senator HARKIN have set a pattern for how people should work together on legislation. I recognize it is not Senator SPECTER's decision how we are handling this legislation.

Mr. HARKIN. That is absolutely true.

Mr. REID. We know that. If it were up to Senator SPECTER, we would have the vote on Tuesday at any time we wanted the vote. Someone else is making that decision.

We understand the parliamentary procedure. We know there is a way of getting off the Harkin amendment. They could move to the regular order and move to table Senators BYRD, AKAKA, MIKULSKI, KOHL, KENNEDY, and DODD. But when they get to DEWINE, we are going to offer your amendment as a second-degree amendment. They are not going to figure out in a parliamentary fashion a way to prevent the American people from having a vote on this legislation.

They may pull the bill. This may be a big enough issue for the President of the United States to hurt American workers and help the American business community, as always happens, it seems, with this administration. The people who work, the men and women who work for a living, get it in the rear end. They may want to pull this bill and say we are not going to allow the Congress of the United States to have a

vote on this. If they do that, we know there are other appropriations bills and other issues that come up that maybe this amendment will not be in order, maybe it will not be germane, but we are going to offer it anyway. We are going to continue with this as an issue.

There are cartoons all over the country—I saw one earlier today—making a joke of what the President is trying to do. I saw one that was given to us by the senior Senator from South Carolina that says maybe the point is that they want the American people not have as much leisure time as they have had in the past.

This is by Toles, and this ran in a number of papers around the country. This one is from South Carolina's largest newspaper. It shows a man standing there at his desk. It reads:

In the 1960s, Americans wondered what they'd do with all their free time in the twenty-first century.

The next view reads:

1. Vacationing at sea-floor resort.
2. Eating gourmet meals in pill form.
3. Flying personal car to robot store.
4. Attending spaceball game on Saturn.

The next view shows him with some consternation on his face and reads:

I . . . I just can't decide.

And then the final view reads:

So they have decided for us.

And some little person says to the man at the desk with his head against the computer:

You'll spend your leisure time working a 70-hour week. Without overtime.

Then there is a little man at the bottom who says:

You could take your vacation in pill form.

We believe this is an important issue. Overtime pay has been the law of this land since the 1930s, Federal law. They are going to change it by administrative fiat? I don't think so. They can do a lot of things to stop us, but they can't stop us from talking.

We are going to continue to talk on this until the American people understand what this administration is doing to American men and women. Here it is not subtle; it is just a slap in the face to the American people.

Mr. HARKIN. I thank the assistant Democratic leader for his support and for the support of our working families.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mrs. CLINTON. Mr. President, I ask unanimous consent to speak as in morning business for 20 minutes.

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

Mrs. CLINTON. Mr. President, first, I commend my colleagues and leaders, the Senators from Iowa and Nevada, for their heartfelt, eloquent statements on behalf of the rights of Americans to be paid for the work they do. I appreciate greatly that our leader on this bill, the Democratic manager, the Senator from Iowa, has really drawn a line in the sand, because we know we are not creating jobs, we know that more people have fallen into poverty, and we know that the incomes of more Americans will be cut dramatically if the provision this administration wants to put into effect is allowed to go forward. So I thank them for their very strong commitment.

EPA'S RESPONSE TO THE WORLD TRADE CENTER COLLAPSE

Mr. President, I wish to talk about another very important issue, one that directly affects the people I represent in New York but which I believe affects our entire country and the credibility of this administration and our Government. I am speaking about the report released on August 21 by the Office of the Inspector General of the Environmental Protection Agency entitled ''EPA's Response to the World Trade Center Collapse: Challenges, Successes, and Areas for Improvement.''

As the title suggests, this report is carefully researched, constructively presented, and it outlines how the EPA carried out its charge in the immediate and longer term aftermath of the terrible attack that struck New York on the infamous day of September 11—now almost 2 years ago. No one will ever forget that day. Those who were there in lower Manhattan will never be able to erase the images—not just the visual images but the feelings, the smells, the sounds, the smoke.

I remember so well being there the day after and seeing the firefighters emerging from the haze that hung over the site, covered in dust and debris; the rescue workers, whom all of us saw, and many of whom I have met, who guided people to safety without a mask or a bit of concern about their own long-term health. I am sure that Americans remember—and New Yorkers lived with—the apartment buildings, the business buildings that were covered in gray dust.

When we turned to our Government in Washington for guidance in the hours, days, and weeks after that tragedy, one of the questions I was asked and I know the EPA was asked, the White House was asked, and the city and the State were asked was: Is the air safe?

What did the EPA tell us? The EPA said: Yes, it is safe. Go back to work, get back to your daily lives.

Mr. President, it is a very hard thing to stand on this Senate floor and say this, but I believe our Government let us down. It wasn't by accident and it wasn't a mistake during the chaos of those terrible days. Instead, as spelled out in this report by the EPA inspector general, it is clear that the EPA was overruled and directed about what to say.

I want to underscore the important fact that this report is not the product of my office, not the product of an advocacy group or an outsider; it was done by the EPA's own career watchdog.

Why do we have inspectors general? Because we know our Government needs somebody to keep track of and hold accountable for actions that are taken. It is not a Republican or a Democratic job; it is a nonpartisan job. Sort of like Sergeant Friday, they ''just want the facts.'' They want to be able to know what is actually going on in the bowels and processes of these huge bureaucracies that perform so many important functions. But still, like any human institutions, extra eyes are needed on what they are doing.

The inspector general of the EPA looked at the actions EPA took to address the quality of the air affected by the collapse of the World Trade Center and what the EPA told the public about the air we were breathing. The inspector general rightly acknowledges that the EPA, like all of our governmental entities at the Federal, State, and local levels involved with the response to September 11, found themselves dealing with an unprecedented crisis, the scope and nature of which none of us ever imagined.

I admit, and I think it is fair to say, that no part of Government was prepared for the enormity of what occurred on September 11, and that is understandable because of what did happen. So in that spirit, and I think realistically so, the inspector general recognized that the particular demands placed on the EPA were considerable.

I was there day after day, down at Ground Zero in the city, meeting with EPA officials, and I know how stressed they were because of all they were having to contend with. But still, even taking into account the unprecedented nature of the attacks, the implosion of the buildings, releasing into the air billions and billions of particles of all kinds of compounds and chemicals, the EPA inspector general found and asserted that where the Agency could and should have been more thorough, more proactive, more effective in its responsibility, it did not live up to what we should have rightly expected.

We looked to the EPA to give us straight information and help us try to reduce the dangerous emissions in the air from the collapse, from the cleanup and the recovery, and the inspector general looked particularly at the EPA action dealing with monitoring, testing, and cleaning up of indoor air.

I want to make this distinction because I think it is very important. When the towers collapsed, clearly, so much was released into the environment. We could see, as we helicoptered over the site on September 12, the burning fires still. The outdoor air was of particular concern to all of the people—the brave men and women who were on the search and recovery teams, who were beginning to work to remove the debris. But there is another separate and equally important issue, and that is about indoor air, because this blizzard of debris and dust went through windows, went through cracks in buildings, settled on roofs, fell into living quarters and businesses.

As a Senator from New York, I have been particularly concerned about

these air quality issues and the implications for the public's health since September 11. I have worked with other elected officials representing New York and the region. I have worked with our first responders—our firefighters, police officers, and public health professionals. I have worked with residents and workers and businessowners to press for the help and the resources and the information we needed so that the air, both outdoors and indoors, would be clean as fast as possible and that the public's health would be protected as much as possible.

With Senator LIEBERMAN, who was then chair of the Clean Air Subcommittee of the Environment and Public Works Committee, on which I serve with him, we held a field hearing in lower Manhattan in February of 2002 to examine what we thought then were troubling and contradictory messages from the EPA about the quality of air in downtown New York City.

I especially wanted to be sure of the basis for then-Administrator Christy Todd Whitman's statement on September 18, 1 week after the attack, that the air in New York was ''safe to breathe.''

I pointed out that information from other Government and official sources contradicted that assertion, not to mention the concerns of my constituents who were coming to me asking whether it was safe for them to go back to their apartments, to go back to work, to bring their children home because of what they could feel and smell in the air. Every time I went down there, my eyes burned and my throat burned. It was a palpable feeling that we were in an environment that may not be safe.

I do not think either Senator LIEBERMAN or I at that hearing received a straight answer. I am not sure we ever got a straight answer in the time between September 11, 2001, and August 21, 2003. In fact, we know we did not because the inspector general's report confirms that New Yorkers and others affected were, in fact, misled about the most fundamental issue: whether the air they were breathing, the breaths they took were safe.

I find this deeply disturbing and very disappointing. Let me quote from the report itself. I have excerpts from the report on these two charts.

In the executive summary of the report, the inspector general says in the very first finding:

> EPA's early public statements following the collapse of the World Trade Center Towers reassured the public regarding the safety of the air outside the Ground Zero area. However, when EPA made a September 18 announcement that the air was ''safe'' to breathe, it did not have sufficient data and analyses to make such a blanket statement. At that time, air monitoring data was lacking for several pollutants of concern, including particulate matter and PCBs.
>
> Furthermore, the White House Council on Environmental Quality, influenced, through the collaborative process, the information that the EPA communicated to the public through its early press releases when it convinced the EPA to add reassuring statements and delete cautionary ones.

The inspector general later on in the report states:

> Based on the documentation we reviewed and our discussions with numerous environmental experts, both within and outside the EPA, we do not agree with the Agency's statement of September 18, 2001, that the air was safe to breathe reflected the Agency's best professional advice. In contrast . . . it appeared that the EPA's best professional advice was overruled when relaying information to the public in the weeks immediately following the disaster.

Basically, what the IG is saying is that the EPA did not have the testing data and analyses to make the statements it did, and that the best professional judgment of the EPA experts was influenced by the White House itself.

As examples of where White House officials intervened and what the EPA told the public at the time, the inspector general reports that the White House had the EPA remove recommendations that all area residents obtain professional cleaning of their homes and offices and told the EPA to remove any reference to the increased risks from air pollution for sensitive populations, such as young children and the elderly.

On these charts, I now want to turn to the actual examples that the inspector general includes in the report of where and how the White House evidently—although we do not know this—evidently, through its Council on Environmental Quality, dictated very specific changes to the EPA on what it could and could not say in its press releases to the public.

Here we see in vivid language, to once again use the very words of the inspector general's report, the White House's role in insisting that ''the EPA's overriding message was that the public did not need to be concerned about airborne contaminants caused by the World Trade Center collapse.''

If we look at these charts, we can see very clearly what was told by the White House to be changed. Here is the draft press release from the EPA, and it reads:

> Recent samples of dust gathered by OSHA—

The Occupational Safety and Health Administration—

> on Water Street show higher levels of asbestos in EPA tests.

The issued press release after the White House dictated the changes:

> The new samples confirm previous reports that ambient air quality meets OSHA standards and consequently is not a cause for public concern. New OSHA data also indicates that indoor air quality in downtown buildings will meet standards.

Draft press release:

> Seven debris and dust samples taken Thursday showed levels of asbestos ranging from 2.1 percent to 3.3 percent. EPA views a 1 percent level of asbestos as the definition for asbestos-containing material.

Changed press release at the White House direction:

> Debris samples collected outside buildings, on cars, and other surfaces contained small percentages of asbestos, ranging from 2.1 to 3.3—slightly above the 1 percent trigger for defining asbestos material.

These are statements that were added to the press release based on the White House instructions. Here was the instruction from the White House:

> Add sentence about OSHA monitors walking the streets yesterday and wearing personal monitors and coming up clean.

Of course, the EPA did what they were told by the White House. This is what they said:

> OSHA staff walked through New York's financial district on September 13th, wearing personal air monitors, and collected data on potential asbestos exposure levels. All but two samples contained no asbestos. Two samples contained very low levels of an unknown fiber which is still being analyzed.

Of course, what we know now is that they had not done the analysis. They did not have the data. So, basically, the White House decided they better invent some and put it in the press release so they could create more reassurance than what the facts clearly indicated.

The White House says: Get a quote in from somebody in charge, somebody with some responsibility; put a quote in so you can get people back to work and back to living downtown. So they came up with a quote by a Mr. John L. Henshaw, Assistant Secretary of Labor for OSHA. This is the quote they put in:

> Our tests showed that it is safe for New Yorkers to go back to work in New York's financial district.

They just made it up: Might as well tell them it is OK to go back to work; don't put in any cautionary language about children or the elderly, people with preexisting asthmatic, pulmonary, or respiratory conditions. Tell them it is safe.

It is really discouraging, I have to say, to go through this because it is not what any of us expected. It is certainly not what any of us told our constituents and what we were told as we walked these streets and as people asked: Is it OK to go back?

I believe this is the kind of interference by Government altering scientific data, putting happy talk in where mature and accurate information would be better suited, and that does our Government a great disservice.

I conclude with these two final changes: The draft press release that the experts at EPA put out had this caption:

> EPA Initiating Emergency Response Activities, Testing Terrorized Sites For Environmental Hazards.

That sounds pretty descriptive. That is what they were doing. That was their job. That is what we expect the EPA to do, to go do the emergency response activities and test for environmental hazards.

This is what the White House said they had to put as the caption:

EPA Initiating Emergency Response Activities, Reassures Public About Environmental Hazards.

We went from testing to reassurance because of changes in words dictated by the White House, not based on data, not based on science.

Then this final example, the draft press release said:

Preliminary results of EPA's sampling activities indicate no or very low levels of asbestos. However, even at low levels, EPA considers asbestos hazardous in this situation and will continue to monitor and sample for elevated levels of asbestos and work with the appropriate officials to ensure awareness and proper handling, transportation and disposal of potentially contaminated debris or materials.

I have no problem with that. That is a very thoughtful, informative statement: Thankfully, our testing shows very low levels at this point but we want to caution people because even very low levels can be dangerous, so we want to tell you what you should do to deal with this dust that is everywhere, that is in your house, that covers everything from your drapes and your rugs to your teapot sets, that is filling the streets and the roofs, so we are going to tell you what we need to do.

Here is what the White House told them to say instead:

EPA is greatly relieved to have learned that there appears to be no significant levels of asbestos dust in the air in New York City, said Administrator Whitman. We are working closely with rescue crews to ensure that all appropriate precautions are taken. We will continue to monitor closely.

Public health concerns about asbestos contamination are primarily related to long-term exposure. Short-term, low-level exposure of the type that might have been produced by the collapse of the World Trade Center buildings is unlikely to cause significant health effects. EPA and OSHA will work closely with rescue and cleanup crews to minimize their potential exposure, but the general public should be very reassured by initial sampling.

Nothing about proper handling, transportation, or disposal.

These are very disturbing revelations. What the EPA wanted to report to the public in their press releases and communication was different from what they did report, and yet all of us relied on those reports.

I have talked to a lot of parents with kids who live downtown. I have talked with a lot of business owners. They asked me whether they should send their children back to the schools when they opened, whether they should go to work when the businesses reopened. Based on both the public information and the private information that I had solicited, I said, yes, from all we know, we think it is safe.

I understand what tremendous challenges these horrible events caused for everyone, but I just cannot come up with any excuse, justification, or rationale for the White House to interfere with the agency in charge of providing accurate and trustworthy information about whether our air indoors and outdoors is safe to breathe. Dictating what the EPA can generally say is inexcusable, but making them misinform the public on such a critical issue is outrageous.

As the inspector general's report clearly points out, the EPA has a clear mandate to communicate honestly and openly with the public about environmental hazards and risks. The reporting even lists the Agency's own seven cardinal rules of risk communication in carrying out these important roles that they have done over the years in dealing with countless situations such as toxic spills and explosions. Those rules were tampered with and the public was misinformed.

On Tuesday, August 26, Senator LIEBERMAN and I wrote to President Bush to convey our serious questions and concerns about what we have learned through the IG report. We asked the President to provide Congress and the public with an account of what took place in the White House that resulted in changing the content and the overall message conveyed by EPA through its press releases. We asked for the identities of the White House officials referred to in the report, who played a role in imposing these changes, for an explanation on why the White House felt compelled to insist on the changes, and copies of the actual communications between the White House and the EPA about the air quality in downtown New York.

We asked for a response by September 5 with the hope of obtaining a full and frank explanation of the sequence described in the report and be assured that the EPA does indeed have the authority and the liberty to communicate accurately with the public on what it knows.

I know the White House did not cooperate with the inspector general report but I hope they would want to get to the bottom of this and learn the lessons that we should not only about the past but going forward. However, I cannot say that I will be surprised if we continue to hear from the administration some of the same excuses that they have been making in response to the IG's report.

In one statement reported a few days ago, former EPA Administrator Whitman said: We did not want to scare people.

White House representatives have said that the edits and changes imposed on the EPA were necessary for national security reasons.

Frankly, this is a canard. The public deserves better. When it comes to our health, the health of our children, the health of our elderly relatives, we need accurate information in a timely manner.

Should we have worn a mask? Should we have gotten more sophisticated respiratory protective gear? Should we have gotten a professional cleaner to clean our apartments before we went back? The public needs to know what the risks are so they can appropriately respond.

To say that national security somehow justifies telling people the air is safe when it is not is to essentially say that people are going to be told that when they need their Government the most at a time of terrible disaster they cannot trust what they hear.

A national crisis does not justify giving people the wrong information and continuing to do so days, weeks, and months after the event.

Would any of us have wanted to worry that the Centers for Disease Control had changed what they were telling us about SARS or the West Nile virus or any other public health incident? Would we ever want to question the FDA about what they tell us when it comes to drugs available in our pharmacies? Should we ever fear the EPA's information about a toxic spill in our community or our own backyard? What the inspector general told us in its August 21 report is that we have to raise these questions now.

What I hope we can achieve from examining this report and seeking answers is that all New Yorkers and Americans will be assured that in the future the EPA and all parts of our Government responsible for communicating to the public about our health and safety will do so honestly and accurately without any political interference.

I have talked about this report and the serious issues it raises with residents who live near Ground Zero. These New Yorkers have been through so much. Many of them were forced into homelessness for months. Many faced devastated neighborhoods when they returned home.

For them, who have lost so much, it is tragic if they lose one more precious thing, namely, their trust in their Government, their faith that they would be given accurate, truthful information they could make judgments on. People made life decisions based on what the EPA told them. Families moved back into the area with their children. Parents sent their children to school. Doctors told their patients not to worry because of what the EPA told them.

To restore any semblance of that trust, we need to get to the bottom of what happened. I hope the administration, led by the White House, will understand that and will help us do what we need to do which is, number one, to find out what the truth was, unvarnished, without any embroidery or reassuring words, just what it was; second, do an analysis of the quality of the indoor air now. These particles, these contaminants stay in rugs, drapes, and air vents. We need to know whether people are living in places right now that are putting their health at risk. Then our Government needs to show good faith by doing what they said they would do, namely, to make sure the indoor air quality was cleaned up. And, perhaps most importantly, we need to restore that trust which has been breached.

I hope the administration will help. These events also require oversight by

the Congress. A number of my colleagues have asked we hold hearings in the Environment and Public Works Committee. I hope we will. I cannot imagine anyone representing any State in this country with so many constituents still coughing, who have acquired severe asthma, who have pulmonary dysfunction, not asking for the very same thing I am asking for, congressional hearings and a full, cooperative relationship with the administration.

I conclude by responding to one of the constant themes I hear from the administration, that they did not want to cause panic, they did not want people to be upset. If New Yorkers had to prove this one more time, they certainly did on September 11th and they did it again in the blackout. These are terrible times that try people, but New Yorkers rise to the occasion no matter what it is. They would have taken accurate information and acted accordingly. They would have done what they needed to do to take precautions for themselves, their children, their friends, their neighbors.

I cannot imagine this idea we did not want to cause people to panic. There are many ways of saying—we saw from the EPA's own language—the truth and then telling people, here are the necessary steps you should take. There is not one firefighter, not one police officer, there is not one construction worker I met who would not have gone out of that pile, would not have tried for days to find survivors, would not have begun to remove the debris, to put the message clearly out to the world and the terrorists that we were not in any way daunted or fearful. Not one. But they might have worn their masks and asked for and demanded better respiratory protection. Instead, the Government says the air is safe.

I have not met one family member or business owner who did not want to go back downtown and rebuild and live their lives again. They would have done it. But maybe instead of cleaning with a wet mop and a wet cloth to try to get rid of asbestos and PCBs, they would have done what the EPA said, go out and get a professional cleaner. But the air was safe.

This in and of itself is a serious, profoundly important issue that has disturbing consequences, particularly when it comes to the trust we should be able to place in our Government, believing they are looking out for our best interests when it comes to health and safety. I hope the administration will respond to my letter, that the Senate will hold hearings, and we will all make it absolutely clear we will not abide misinformation and political interference in something as important as the air we breathe.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

AMENDMENT NO. 1580

Mr. HARKIN. Mr. President, I know we are still on the Labor, Health and Human Services, Education appropriations, and I wish to speak for a little while on the pending amendment which I have laid down prior to the distinguished Senator from New York speaking. I want to follow up and speak for a little bit longer on that. I know my colleague from Alabama and maybe others are here so I will try to be as succinct as possible, but I did want to, before the weekend came, to again lay out for the Senate and for the Nation why it is so important for us to take action, to stop the implementation of these proposed changes in rules and regulations that deal with overtime pay.

I thought I would take some time now to, number one, respond to some arguments made by the Senator from Wyoming yesterday, Senator ENZI, but also to again give some personal stories of what is happening to people around the country today and how others might be affected with these changes in rules and regulations.

As I have done with the rules and regulations, you can read them. If you want to go to sleep fast, try reading rules and regulations sometimes. That will put you to sleep. It becomes a blur out there as to what all these fancy words and phrases and subparagraph and titles all mean. But when you get through it all, it means people are affected one way or the other, either for good or for ill. It means workers are either supported in their jobs and their family life or they are not.

That is what these changes and rules are about, affecting human beings and their lives and how they live and how they work and what their quality of life is going to be.

Again, a couple of things I want to lay out. One, to lay out what the industry has said about the proposed overtime rule. I also wanted to bring specific examples and then show what has happened to the workforce over the last few years because, as I said earlier, the first wave of people to be hit by this proposed change in rules and regulations, if they go into effect, are working women. I will show why that is so in my comments this morning.

First of all, the Bush administration has said the proposed rules on overtime will not substantially change the exempt and nonexempt status of American workers. They say they merely want to ''clarify the current rules.''

I believe this is misleading, at best. The proposal will have a sweeping effect on millions of Americans and will unalterably change, will change fundamentally, the basic principle of the 40-hour workweek as we have known it since 1938.

Don't take my word for it. Look at some of the comments from industry. In May 2003, an analysis by Hewitt Associates, which advertises on their Web site as a global human resources outsourcing and consulting firm, says on their Web site their client roster includes more than half of the Fortune 500 companies. Here is their analysis of the proposed rule changes:

> These proposed changes likely will open the door for employers to reclassify a large number of previously nonexempt employees as exempt. The resulting effect on compensation and morale could be detrimental as employees previously accustomed to earning in some cases significant amounts of overtime, would suddenly lose their opportunity. That is from Hewitt Associates.

And from the Society for Human Resource Management, which on its Web site says it is ''the world's largest association devoted to human resource management.'' And regarding the proposed overtime changes, the society said:

> This is going to affect every workplace, every employee, every profession.

So, again, whether we hear from the administration, from the Department of Labor, that this is simply a clarification, these are simple little clarifications. Meanwhile, the main human resource management association and a human resource consultant for Fortune 500 companies say this is big stuff. It is going to affect every workplace, employee, every profession, according to the Society for Human Resource Management.

This same Society for Human Resource Management said the proposed rule is not clearer than current regulations. Deron Zeppelin told the Chicago Tribune:

> It looks like they're just moving from one ambiguity to the next.

Again, as I said, according to the Chicago Tribune:

> The Labor and Department's [Wage and Hour Administrator Tammy] McCutchen predicts a deluge of lawsuits as employees and employers press for clarifications once the new rules go into effect.

I thought we wanted to reduce the number of lawsuits. My friend from Wyoming argued that we have all these lawsuits out there right now. But this is going to open the door for even more lawsuits. The reason we are having lawsuits out there now is because employers are already violating the Fair Labor Standards Act, in terms of the 40-hour workweek. I will refer to that more later.

The Chamber of Commerce said, on the proposed rule, in their formal comments:

> We support raising the minimum compensation necessary to qualify as an exempt employee provided that such change is made in conjunction with significant reforms of the duties and salary basis test.

Understand what they are saying. They are saying we can raise the minimum compensation, that is fine, but not unless we have significant reforms of the duties and salary basis test—significant; not minor, not simple clarification but significant reforms.

The American Corporate Council Association, and I am quoting from their statement:

> . . . also supports other aspects of the present draft, including creating a new computer employee exemption; eliminating discretion and independent judgment test as a criterion of the professional exemption;

eliminating the primary and nonprimary duties criterion of the administrative exemption; and the changes made to the outside sales exemption.

For the uninitiated, in all this fancy jargon, what the American Corporate Council Association says is that they want a major exemption for computer technicians from overtime protections. They also want to really relax the current ''duties'' test to be exempt from overtime to incorporate more workers in the overtime exemption.

These are big changes, sweeping changes in who would get overtime pay and who would not.

Last, the National Association of Manufacturers said, on eliminating the academic study requirement for the professional exemption—right now it is generally based on 4 years of college. If you have 4 years of college that is sort of the first hurdle that you would be exempt as a professional employee. It doesn't necessarily mean you are exempt, but its one of the key requirements to be exempt. The proposed rule changes all that. It just says you can replace that academic requirement with work experience or training. I get it, you do the exact same job for a couple of years—let's say, nursing—so you go from getting overtime to being reclassified as a professional from all of that experience—and you no longer receive overtime pay although you're doing the exact same job. Well, the National Association of Manufacturers appears to think that's a great idea. They applauded the Labor Department for including this alternative means of establishing that an employee has the knowledge required for the exemption to apply.

Again, what does that mean? You don't need 4 years of college. You could have on-the-job training, a high school degree and, bang, all of a sudden you are a professional, and they can say you are exempt.

So when you hear people say these are minor changes, they are not minor at all. That is why 8 to 10 million people are going to be affected by this.

Again, there is the argument that we need to update these rules. I am all for updating them. The Senator from Wyoming spoke the other day about some of the occupations that are still listed. I think one of them was straw man—I forget what some of the others were. Oh, a leg man and a straw man and all that—fine. If they want to tweak the regulations to get rid of those jobs that no longer exist, fine by me. But don't take overtime pay protection from those workers, those jobs that currently have it.

The fact is, the Department has revised overtime regulations several times since 1938 just because, obviously, jobs change. Some of the things they covered before don't exist. Obviously a straw man, whoever that was, or a leg man, whatever that was, doesn't exist anymore. If they want to do away with that or change that, that is fine. But that is not what they are doing. So if they want to update them to match current occupations, that is fine. If the administration had done that, that would have been OK. But they went far beyond that.

I have just a few other brief things. The Senator from Wyoming said the other day the amendment I offered would not allow the Department of Labor to review the 78,000 comments they got in. That is simply not true. My amendment says they can't promulgate these rules and regulations. They can have the comments, they can look at them, they just can't issue a rule that would take away the present overtime protection that workers now have. That is all my amendment does.

And he said my amendment would block an increase in the income threshold for low-income workers. Again, that's just not true. My amendment specifically only prohibits implementing a rule that would take overtime pay protection to those millions of workers who currently have it. We would support new rules to increase overtime pay protection for workers.

Then the Senator from Wyoming said the union contracts protect overtime. That is true, union contracts do. But union contracts right now only cover 13 percent of the workforce in America. What about the other 77 percent who are not covered? And right now when a union goes out and the contracts expire, overtime is not an issue. Why? Because the law says they have to pay overtime.

So when the contract comes up, that isn't even an area for negotiation because the law says they have to pay them overtime over 40 hours. Now with these proposed changes in rules and regulations, every time a union contract expires, that is a negotiable item. We have to negotiate for whether or not they will get paid overtime. That means they will have to give up something else in order to get overtime.

There is something floating around about first responders, nurses and such, and that somehow that wouldn't be changed. But we have been through these rules and regulations. There is no exemption. There is no carve-out for policemen, for firemen, and first responders. Not one thing in this carves them out. I have heard it said that the administration said sort of quietly that maybe they will not include this. I don't see that anywhere.

Lastly, it has been said that wage and hour cases now exceed discrimination suits. Well, I wonder which. Maybe it is because a lot of employers are now basically violating the Fair Labor Standards Act because they can get away with it.

For example, Wal-Mart, the largest retailer, is facing 37 lawsuits in 29 States from employees alleging they were illegally forced to work extra hours to meet corporate productivity demands—not 1 but 37 lawsuits in 29 States.

In fact, in December, a Federal jury in Portland, OR, found Wal-Mart guilty of asking workers to clock out and then to return to work unpaid. A Federal jury found them guilty of doing that. Workers clocked out and then they had to come back and work overtime without getting paid.

About 270 insurance claims adjustors have filed here in U.S. District Court in Washington, DC, alleging that their employer, GEICO Insurance, broke the law by improperly classifying workers as exempt from overtime pay.

Again, maybe it doesn't surprise me that wage and hour cases are now exceeding discrimination cases.

The proposed rules and regulations would make this legal and say to Wal-Mart you are off the hook. All these lawsuits would just fall by the wayside because of a change of law, and they could exempt these people. They are big changes.

I said earlier that the first wave of people who would be hit by this would be working women. I want to show you what I mean by that.

This chart shows basically what is happening in the workforce in America—from 1948 it 2002. As you can see, the labor force participation rates for men and women have steadily declined. Look at what has happened with women—going from slightly over 30 percent to a little over 60 percent of the workforce in that period of time. More and more women have entered the workforce over that period of time.

Here are some other statistics.

In 1975, 44.9 percent of women with children were in the labor force in 1975. In 2001, 70.8 percent of women with children were in the labor force. In 1975, 30.8 percent of the women who worked had children under the age of 2.

Today, 58 percent of the women in the workforce have children under the age of 2.

Here are two more statistics.

Twenty-eight percent of working mothers work nights or on weekends. Forty percent of working mothers work different schedules than their spouses.

What that adds up to is families are working longer and longer, and they are taking time away from their families to make ends meet. This chart shows the average weeks worked per year by middle-income families with children.

In 1969, the average family with children worked 78.2 weeks per year. We know there are 52 weeks in the year. That means that perhaps someone worked 40 or 52 weeks, and someone had a part-time job and they worked maybe 28 weeks during the year in 1969. In 2000, the weeks worked by the average middle-income family with children was 97.9 weeks per year.

Where is that coming from? It is coming from the women in the workforce who are working longer hours, working nights, and working weekends. They are the first ones who are going to be hit by these changes in overtime laws. Many of these women are working as secretaries, as claims adjustors,

as nurses, bookkeepers, social workers and paralegals. They are salaried. They work in insurance companies and banks. Right now, if they work over 40 hours, they are paid overtime. Under these changes, their employers can legally take away their overtime.

Let me give a couple of examples of people who would be affected by these changes.

Here is Michael Farrar who works at the NAV/AIR depot in Jacksonville, FL. He is a cost estimator at the NAV/AIR depot who specializes in aircraft engine and component production and repair. If he loses his right to overtime pay, he will be paid straight time for any hours over 40 per week.

He says:

> If I don't get my overtime, it will be hard to exist.

He and his wife rely on overtime pay to support their 21-year-old disabled son who lives with them.

He says:

> When I took this job, it was clear that I was supposed to work more than 40 hours a week, and I agreed to that because I knew I would need the money. We would be devastated without the overtime. We have no more corners to cut.

Let us not go back 40 years with these proposed Bush regulations. Let us go forward and pay people what they deserve.

Here is Susan Moore, a planning coordinator from the Chicago Park and Planning District, a member of the International Federation of Professional and Technical Engineers.

She says:

> I am currently entitled to time and a half under Federal law. I know for a fact that that is the reason I am not required to work long hours like the project managers who are not entitled to overtime pay. My supervisor has to think hard about whether to assign overtime to me because he has to pay for my time. That means more time for my family and that time is important to me. If the law changes and I lose my right to overtime pay, I will be faced with the imposing choice of losing time with my family, or losing my job.

Mrs. BOXER. Mr. President, will the Senator yield for a question?

Mr. HARKIN. Yes. I would be glad to yield to my friend from California.

Mrs. BOXER. I thank the Senator so much.

I have been trying to thank the Senator for a couple of days now, but it has been hard to get a moment. I am so glad I have this moment to thank him so much for giving us an opportunity here in the Senate to stand up for working families.

I want to read just one letter I received from a woman in my State and ask the Senator to comment because his point is so right.

This Bush administration rule, which would take away the pay from hard-working people, is an attack on America's families. What is so interesting to me is, when I think back after 9/11 and the President going to Ground Zero and standing with his arms around firefighters and saying, ''These are the heroes,'' the firefighters are the ones who are going to be hurt by this change. The safety workers are going to be hurt.

I want to read a letter, and I want to ask you to please comment. Celine Krimston, the wife of a firefighter from La Mesa, wrote:

> We are a family of four. Our children are four months and five years of age. I work full time outside of the home to make ends meet for our family. My husband's firefighter income is not enough to support a family of four, yet too high to receive any type of subsidy. Without the overtime pay we would actually be deemed low income and qualify for subsidized childcare. Our nation should be ashamed!
>
> Please support America's working families by voting against the Bush administration's proposal to cut overtime.

So all I want to do today, in this brief interlude, if you will, is to thank you. These working people—who barely have time for their kids, who are struggling to make ends meet, to put food on the table, to pay the rent or the mortgage, to give their family a modicum of security—are under attack by this Bush rule.

I want you to comment on this, if this does not reflect the comments you are hearing as our leader on this issue?

Did it not strike you—let's just use the word in an ironic way—when President Bush stood, on Labor Day, with a group of working people and talked about how much he understood that they were going through hard times and how important it was for them to get jobs? By the way, we have lost more jobs now than ever in history since Herbert Hoover, since the Great Depression.

But while he is doing this missionary work and trying to tell working people how he is going to get them jobs, he is also going behind their back and cutting their pay with this rule.

I wonder if my friend would comment on those two issues: The irony of this hitting our firefighters, our first responders, and also the fact that at a Labor Day event the President was saying how he understands working people, and then putting this provision in, which is such a disaster for our people.

Mr. HARKIN. I thank the Senator from California for her observations and her questions. I again thank my colleague from California for her many years of working so hard on behalf of our working families. There is no one who has worked harder and longer and fought more diligently for the rights of working families, working men, working women, in this country than Senator BOXER of California.

I say to the Senator, I am proud to have you on our side in this fight, too, because it is a fight for justice. It is a fight just to make sure people are treated decently as human beings.

I guess in my fondest, perhaps, hopes, maybe President Bush didn't even know about this, and this was going on underneath him. Maybe through our debates here he will find out about it and say: What is happening? Who is doing this on my watch? Well, the buck does stop at the President's desk. Maybe he doesn't even know this is going on but the people he has hired underneath him are implementing this. So maybe our debate will enlighten the President. Maybe some word will get to him and he will say, ''What is going on?'' and he will become alarmed at what people under him are doing, and perhaps he will put a stop to it. That would be my fondest wish.

Mrs. BOXER. Will my friend yield?

Mr. HARKIN. Yes, without losing my right to the floor.

Mrs. BOXER. I would hope your wish comes true, but I understand we received a message that he would veto this bill with this in it. Let's hope he knows that letter came over here because, frankly, if he doesn't know it, he is not doing his job. So I have to assume he knows it. That is my own view, not that I want to ruin your day.

Mr. HARKIN. Well, no, as I say, hope springs eternal. I was hoping maybe the President might learn about this. We did get this veto message from the White House.

I say to the Senator from California, this is mind-boggling. Here is an appropriations bill that funds all education, all health care, all research at the National Institutes of Health—on breast cancer, on emphysema, on diabetes; all this wonderful research done to help people live their lives better—Head Start Programs, job training programs, and he is going to veto the whole thing if we stop these rules and regulations from going through that takes away overtime. To me this is mind-boggling.

Again, I hope it is his underlings doing this, and maybe he doesn't know about it yet, and maybe he will learn about it. I hope he will learn about it. Maybe he will tell his people to stop this nonsense.

Mrs. BOXER. Maybe he will take back that letter he sent us.

Mr. HARKIN. I hope he would take that letter back and say he wouldn't. The idea of having a veto threat out there, to veto this entire bill, if the Senate works its will and says: No, we are not going to let these rules and regulations come into effect, this almost borders on the bizarre that something like this would happen.

I thank the Senator.

I see my great leader. Again, talk about a fighter for working families in America, there is no one, including me and the Senator from California, who has fought harder and longer for working families than the Senator from West Virginia.

Mr. BYRD. Will the Senator yield?

Mr. HARKIN. I yield.

Mr. BYRD. My friend, you are living in a dream world if for a moment you think this President doesn't know what he is doing. You are living in a dream world. I hope to be with you in your dreams at some point.

Mr. HARKIN. As I said, hope springs eternal. And I always believe in redemption. The hope for redemption is

always there, that the wayward will come home and find the true path. And I hope the President will sit down and think about this and understand what is happening on his watch with regard to this issue.

So I appreciate what my friend from West Virginia has said. I would hope this would happen. But again, we can't go on hope around here. We have to go on what reality is. And the reality is, the Department of Labor, under this administration, has promulgated these proposed changes in overtime. They will go into effect unless we take this action. That is the real world we live in. That is why I have offered this amendment. And that is why I feel so strongly about it.

Oh, there are maybe a few things that each of us gets interested in and gets involved in because we feel deeply about them. One of the issues I always get involved in and for which I take the floor is to make sure we expand and promote opportunities for people with disabilities in our country. This goes back to when I was the chief sponsor of the Americans With Disabilities Act. So this is another area in which I always keep a close watch and find out what the administration and the Supreme Court and others are doing to cut down on the rights of people with disabilities. That is one area.

Another area I feel so strongly about is our working families, working people who don't have a lot of say-so over their jobs. They go to work every day. They do what their bosses tell them. They put in extra effort and extra energy. A lot of times they don't get paid overtime for that extra few minutes every day, that extra effort. But if they are asked to work overtime, they should get paid. If they are taking time away from their families to work overtime, they ought to be justly compensated for it. That is why I feel so strongly about this.

I couldn't say it any better than Sheila Perez of Bremerton, WA. Here is what she said:

> I began my career as a supply clerk earning $3.10/hr in 1976. I recognized early in my federal career that in order for me as a working single parent to support my family, I needed to find more lucrative employment. I entered an upward mobility program and received training to become an engineer technician with a career ladder that gave me a yearly boost in income. It seemed though that even with a decent raise each year, I really relied on overtime income to help make ends meet. There are many more single parents today with the same problem. How does one pay for the car that broke down or the braces for the children's teeth? Overtime income has been a lifesaver to many of us. When I as a working mother leave my 8-hour/day job and go home, my second shift begins. There is dinner to cook, dishes to wash, laundry, and all the other housework that must be done which adds another 3 to 4 hours to your workday. When one has to put in extra hours at work, it takes away from the time needed to take care of our personal needs. It seems only fair that one should be compensated for that extra effort. Overtime is a sacrifice of one's time, energy, and physical and mental well-being. Compensation should be commensurate in the form of premium pay as it is a premium of one's personal time, energy, and expertise that is being used.

That is a great sentence that Sheila writes:

> Compensation should be commensurate in the form of premium pay as it is a premium of one's personal time, energy, and expertise that is being used. It has been a crime that many engineers and technicians were paid less than even their straight time for overtime worked. It has never made sense to me that the hours I work past my normal eight are of lesser value, when those additional hours are at a cost of my personal time.

Sheila Perez from Bremerton, WA. I could not say it any better. That is what this fight is all about. It is about people who get up and go to work every day. They pull their load, pay their taxes. They are good citizens. They raise their families. They want to spend time with their families. If they are being asked to work overtime, as Sheila said, that is premium time. That is personal time. That is family time. They ought to be paid for it. They ought to be paid time and a half for it.

What these proposed changes would mean is that Sheila Perez could be asked to work over 40 hours a week and not get paid one penny more than what she is being paid right now. She would not be paid anything more if she were on a salaried basis. It is sort of free time.

That is why I said the other day, not only is this President and this administration shipping jobs out of the country, they are now importing into this country Third World labor standards: work 60 hours a week, no overtime, no commensurate pay.

We will have another issue on pensions where they are trying to change the pension program, take away the rightful pensions which people have earned, privatize Social Security, privatize Medicare. It doesn't sound like the America I grew up in and the America that built a strong and viable middle class.

Right now American workers work longer per year than workers in any industrialized country. The International Labor Organization found that American workers put in an average of 1,825 hours a year, average. In Europe, French workers have an average of 1,545 hours per year; German workers, 1,444 hours per year. So we are already working longer. Now they want us to work longer without any pay. That is why I have said this is antiworker. It is antifamily to change these rules and regulations as they want.

I have had my say. I know others want to speak. I ask unanimous consent to add Senator JOHNSON as a cosponsor of my amendment.

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

Mr. HARKIN. I will have more to say about this next week. I hope we will vote on this up or down when next Tuesday comes. But I hope the American people get the word about what is happening. These proposed rules came out without one public hearing, not one. There still haven't been any public hearings. Why don't they go to Dallas, TX, or Des Moines, IA? Why don't they go to Detroit or Los Angeles? Why don't they go to West Virginia, have public hearings and listen to what people might have to say about this? No, they just want to ram them through without any public hearings.

This is our public hearing. This is the public's house, the Senate and the House of Representatives. Here, as we once said, the people rule. Here we are supposed to do the work of the people, not the special interests. The American people want us to fight for them and for their rights, to support them in the workplace and to support their families. That is what this fight is about—nothing more, nothing less. That is why this Senate needs to speak, and we need to vote early next week to say no to the Bush administration's proposed changes in overtime rules and regulations.

I yield the floor.

The PRESIDING OFFICER (Mr. CORNYN). The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the distinguished Senator from Iowa for his position on this matter, for his words today on this subject. I will always remember Senator TOM HARKIN for standing up for the working people of this country. Through the years that I served with him, he has never deviated from that course. He has never veered from that course: standing up for working people, the common people, the men and women of America who work with their hands, who get their hands dirty, whose hands show the horns of toil and working. I will never forget him for that. He has always been that way.

I think he has a streak of that coal miner in him. He doesn't want to go back to the 1930s. What would have happened to me in the 1930s? I was married in 1937. I worked as a produce boy. I don't mind being called boy.

I was a produce boy in a company store in the mining camp where my foster father was a coal miner, where my wife's father was a coal miner. I was a produce boy, produce salesman. I got out on some Sunday afternoons.

I am a Baptist. I was a man who revered the Bible long before George Bush ever got to this place. When he was running around in knee pants, I believed in the old time religion. I wasn't a Christian to the left or to the right. I believed in the old time religion that comes from the King James version of the Bible. If you want to stir up the churches, take me. We will sing ''Amazing Grace.'' We will get them out into the aisles, those who are not afraid to say: Amen, amen. So he speaks the language of the working poor. No, he is not mistaken about President Bush. I respect President Bush. He is President of the United States, but he came from the other side

of the tracks. He didn't come from the side of the tracks I came from, or where the Senator from Iowa, I would venture, came from. I didn't come from the corporate boardrooms of this country.

I came from the coal camps. I lived during those days the Senator is talking about, back in the 1930s. I worked 6 days a week. I was glad to have a job. I remember when I was making $70 a month working in a butcher shop. I was a butcher. I was a produce boy. Yes, we worked long hours. We didn't get paid time and a half when I was in the butcher shops in southern West Virginia, but we were glad to have a job. I made $70 a month. Imagine living on $70 a month. Of course, things were cheaper then. But we didn't get time and a half. We had to work whatever time was required to hold our jobs.

My dad had to clean up his ''place'' back in the coal mines. They would shoot down the slate and the coal, and he was expected to clean that up before he went home. He was glad to have a job. There was always someone else there waiting on his job. If he didn't want to clean up the place, somebody was waiting to take his job.

I thank Senator HARKIN for his leadership, and count me as one who stands with him.

IRAQ

Mr. President, after a dismal summer of watching the situation in Iraq spiraling from bad to worse, the White House appears to have finally—finally—acknowledged what many of us have understood from the beginning. It is going to take huge amounts of money—your money; aha, they like to talk about that term ''your money''—it is going to take large amounts of your money, a long-term commitment, and substantial help from the international community to restore order to Iraq.

After stiff-arming—I will say that again—after stiff-arming the United Nations for its refusal to rubberstamp the administration's war plans for Iraq, and alienating some of our staunchest allies in the process, the White House—hear me down there—has finally acquiesced to seeking a new resolution that potentially would give the United Nations a vital role in postwar Iraq that the President once pledged.

I only hope this change of heart on the President's part is not a lesson too late for the learning. The United States has squandered on Iraq so much of the international good will that followed the September 11 terrorist attacks that it may be impossible to regain all the ground that has been lost.

It is particularly ironic that the administration's decision to seek a new resolution to win international support from the United Nations comes almost exactly 1 year after the President sternly warned the United Nations that it faced becoming irrelevant if it failed to support the United States on Iraq. How far off the mark that assessment turned out to be. How far off the mark. Instead of being irrelevant, the United Nations has emerged as America's best and possibly only hope to win desperately needed international support for the postwar mission in Iraq.

It is deeply ironic that the administration is seeking an estimated $60 billion to $70 billion in additional funding for Iraq from the American taxpayers—your money, I say—at a time when the Senate is debating adding a fraction of that amount to an appropriations bill to provide critical funding, funding that the President himself pledged to provide in his No Child Left Behind initiative for schoolchildren in poor school districts.

Earlier this week, I offered an amendment to the Labor, Health and Human Services, and Education appropriations bill that would add $6.1 billion for title I education programs to fully fund the money Congress authorized for fiscal year 2004 in the No Child Left Behind Act. This is money—your money—I like that term ''your money.'' Yes, it is your money that Congress promised to provide. It is your money that our schools desperately need.

Unfortunately, I fear I am fighting an uphill battle to win the passage of my amendment. It is going to take 60 votes on that amendment. I fear I am fighting an uphill battle. Opponents of the amendment have already staked out their positions, complaining that we cannot afford the additional funding, that the amendment will add $6 billion to the deficit, and that we are already doing plenty for education.

We will never do enough for education. I am not one who believes in throwing money at education. No, not I. I came from a two-room schoolhouse back in the hills of West Virginia. Yes, I know about the Baby Ray Primer. Yes, I studied by the old oil lamp. I memorized my history lessons. I knew about Nathaniel Green, about Hamilton, and Madison. Those were my heroes when I was a boy. I got my heroes out of the history books. The history book that I read was Muzzey. There weren't many pictures in my history book. There was substance there. I memorized my history lesson. That was good for me. We didn't have all the frills and so on that we have today.

So don't count me in to just throw money at education. I don't believe in that. But this is $6 billion that Congress promised and that the President said he needed. He was for the No Child Left Behind act. Well, let's mean what we say. Let's get behind our words.

I don't believe and I don't buy any of the arguments used against my amendment. I wonder how the Senators who object to the cost of my amendment will view the President's request to add $60 billion, $65 billion, or $70 billion to the deficit to fund military and reconstruction activities in Iraq. I wonder if those same Senators will be comfortable voting to support a massive spending program for Iraq if they cannot bring themselves to support a comparatively meager increase in education funding for American schoolchildren.

I intend to speak at greater length on my education amendment at a later time, but I urge my colleagues to begin reflecting on what kind of signal we will be sending to the American families if we shortchange education funding by $6 billion one day and approve 10 times that amount for Iraq the next.

Make no mistake about it, Congress had little choice but to provide some level of additional funding for military and reconstruction activities in Iraq. Oh, yes, we now want the help of those whom we strong-armed. They were not going to be relevant. They are very relevant today when we need them. We bulldozed our way into that country, into Iraq, almost single-handedly, over the objections of most of the international community. They saw us as a bully. Now we are paying the price for our unmitigated arrogance.

With the exception of the help we have received from the British, we have gotten almost no monetary assistance and precious little military assistance from other nations to assist with our operations in Iraq. It was a war that we should never have fought. The U.N. inspectors were in that country, and they were finding weapons. Weapons were being destroyed. We did not need to send our men to invade another nation that had not attacked us. And all of the claims that this was a nation that posed an imminent danger to our country? How foolish we were to accept that idea.

I said at the time there is no such imminent danger to us. I said it then. So I come with some credibility when I say it today. No, it was not a just war. Think of the boys, think of the men and women who have had to go to Iraq in the hot Sun and sweltering weather and be away from their homes; the Guard men and women and the reservists who have had to go there. Some have perished. Say to their mothers and fathers that it was a just war. Say it to them. No. And they could not even lift a plane against our forces.

Where was the imminent threat to our security? Where are the weapons of mass destruction? We were led down the primrose path by the leadership of this country: Oh, it was an imminent danger. Our security was in danger. It was urgent that we invade another nation that had not invaded ours, that had not attacked our Nation in pursuance of the doctrine of preemption. That got us into Iraq.

I did not fall for that stuff. I did not vote for it and so said at the time that this country was not in imminent danger, that our national security was not being threatened.

Never before had we invaded another country when we had never been attacked. A major war—the American people have had to pay for that, and there are some people in this country who have had to pay it with their sons and daughters and husbands. When are they going to come home?

We have stiff-armed some of our most staunch allies through the years. We gave them backhand slaps. We criticized them because they would not follow us into Iraq because their constituencies did not agree with us. Yet we expected them to follow us. They did not see it as a war in which we were being placed in imminent danger. They did not see it. They did not see it with respect to their own countries. They had to follow their constituencies' feelings, and yet we had a good deal to say about them that today we probably wish we had not said.

The polls released by the Pew Research Center on March 18, the day before the war began, showed that opposition to a war in Iraq was at 69 percent in Germany; 75 percent in France; 86 percent in Turkey; and 87 percent in Russia. And yet the White House scoffed at this opposition and belittled the need to unify the world in confronting Saddam Hussein.

Could it be that we are now paying the price for the administration's bullheaded rush to war without the broad and active support of the international community? We have perhaps a chance to mend the fences and garner more support from the United Nations if the United States can swallow, if this administration can swallow its false pride and come up with a new resolution that cedes a meaningful role in the reconstruction of Iraq to the international community.

Perhaps we also have a chance to attract some serious monetary contributions from the international community, but I doubt we will begin to approach the level of support that we have received from other nations during the first gulf war. Nevertheless, we must keep trying, we must keep returning to the United Nations because that is an important, if not long overdue, first step.

Moreover, Congress and the American people must insist on a full accounting from the administration of the dollars it is requesting for Iraq. The fact that we are faced with staggering demands in Iraq does not mean Congress should feel compelled to hand the administration a blank check and we should not be afraid to ask questions. It is not unpatriotic to ask questions. After all, it is your money out there, as I look into those television lenses.

Lack of careful planning on the part of the administration for postwar Iraq helped to get us into our current difficulties, and we cannot afford to repeat our mistakes. Oh, they were in a hurry. They were impatient. They talk today about the need for patience. The administration was not very patient when it wanted to take this Nation into war.

Just 5 months ago, Congress provided $78.5 billion in funds—your money—for military and reconstruction activities in Iraq and Afghanistan. Now we are learning that we will need far more money—your money—for Iraq far sooner than the administration either anticipated or admitted.

We need to demand the details before we approve any more money for Iraq. We should require the President to submit a detailed budget request for the $60 billion to $70 billion he is seeking in supplemental funding for Iraq, and the Appropriations Committees of both Houses should hold hearings on that request.

We could not get straight answers from the administration on the expected cost or duration of the Iraq operation prior to the war. We could not get the information we needed the first time around. We cannot afford to settle for evasions this time around.

The supplemental funding request that the President is expected to send to Congress in the next few weeks gives us an opportunity to get some answers to some of the most pressing questions involving our occupation of Iraq. We had no business getting into that war. We had no business invading another country that had not attacked us. The so-called imminent threat to our security was not there.

What is our postwar strategy for Iraq? What are we doing to improve the security situation in Baghdad and other key cities? What have we accomplished in terms of restoring the electricity, the drinking water, and other basic services to the Iraqi citizens?

What kind of timetable are we facing? Do we have any kind of exit strategy? Who is making the decisions? By far, the greatest monetary cost in Iraq is the cost of the military occupation. Of the $60 billion to $70 billion President Bush is expected to request, all but $10 billion or so is earmarked for the Defense Department. The current cost of military operations in Iraq is $3.9 billion a month—$1 billion a week. That is your money.

With massive Federal budget deficits staring us in the face, how long can we sustain that level of spending in Iraq? Do we have any realistic expectation that other countries will help to offset that cost? Even if we manage to get another U.N. resolution, who is going to help us in Iraq, and how will they help us? These are extremely important questions. Somebody ought to be asking them.

The American people are not here to ask them. The young people of this country are not here to ask them. The young people, young high school children and college students who are going to pay the interest on these deficits we are running cannot be here to ask the questions.

We have a duty to ask the questions. These are important questions. Congress and the American people need to know the answers before committing more resources to Iraq. Congress should put the White House on notice now that it will require a full explanation and a rigorous justification of the budget request before voting on it.

The President said several weeks ago major operations in Iraq have ended. Have they?

In the meantime, Congress has other pressing matters on its plate. Next week the Senate will consider whether to fully fund a critical education program for our neediest school children. I was one of those children once upon a time. I was a disadvantaged child. So were just about all of the other children in my mining town. So I try to see myself as one in that class. The bottom rungs on my ladder of life were gone also.

I hope we will treat this issue and my amendment with the same sense of urgency and importance the President expects us to treat the supplemental budget request for Iraq. It is important. We will have to treat that budget request as a matter of urgency. It will face us. But there is no issue more important to the future of our country than the education of our children.

I am reminded of Benjamin Disraeli in the English Parliament who said in 1874: Upon the education of the people of this country, the future of this country depends.

Look it up. 1874. That was the year before my foster father was born. Benjamin Disraeli said in the English Parliament: Upon the education of the people of this country, the future of this country depends.

We can say that here: Upon the education of the people of this country, the future of this country—the USA, God bless America—but upon the education of the people of America, the future of America depends. So there is no issue more important to the future of our country than the education of our children.

I took a piece of plastic clay
And idly fashioned it one day
And as my fingers pressed it still
It moved and yielded to my will.
I came again when days were past.
The bit of clay was hard at last.
The form I gave it, it still bore,
And I could change that form no more.
I took a piece of living clay
And gently formed it day by day.
And molded it with my power and art
A young child's soft and yielding heart.
I came again when years were gone.
He was a man I looked upon.
He still that early impress wore,
And I could change him nevermore.

We have in our hands a piece of clay. On this issue especially I hope the Senate will put aside partisanship and vote to fully fund the No Child Left Behind Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business for up to 10 minutes.

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

PRESCRIPTION DRUGS AND MEDICARE

Mr. SESSIONS. Mr. President, at this time the conferees of the Senate and House are meeting with regard to the prescription drug bill and the Medicare reform that is part of that bill. I know the Presiding Officer represents

the State of Texas, and having worked with some of the issues I am going to address, I think no State would benefit more from the reforms I will be talking about than the State of Texas.

What most Americans do not know is when a person goes to a hospital for surgery, for example—and over half the people who go to the hospital for surgeries in America today—their health care is paid for by Medicare, senior citizens on Medicaid, low-income people, is paid for predominantly by the Federal Government. There are formulas that decide how the hospitals and providers get paid for doing the services they provide. The net result, and the way the system is working today, there is a very substantial difference in how much a hospital in Alabama or Texas would get paid compared to a hospital in a State with a high wage index.

Of course, within States there are differences. Even within a State, at hospitals a few miles from one another, one hospital is paid substantially more for a gallbladder operation, for heart surgery, for a mastectomy, or many other surgeries. The system is out of control. It is unjust and it is unfair.

The driving factor behind it is the formula called the wage index. Unfortunately, when determining how much Medicare pays for a hospital to perform a medical procedure, 71.4 percent of that formula is determined by the wage index—how much they say salaries will be in that hospital, in that region. One expert's independent study says the real percentage should be 56 percent. The CMS, the Federal agency that handles this, admits it ought to be 62 percent, not 71 percent, of the allocation of money based on wage index.

This bill fixes that. This bill has the wage index at only 62 percent—not as low as I think it should go—but 62 percent of the formula to determine how much they should be paid. This will narrow the disparity somewhat, not enough, but it is a very significant first step.

Currently, we are rewarding the rich. In this system, the rich are getting richer and the poor are getting poorer. For example, there is a hospital that comes out with the low wage index. They receive less money per surgery than a hospital in a larger city down the road. What do they have to do? They have to cut costs. So maybe they reduce the number of RNs, maybe they reduce the salaries of their hospital workers and nurses, or a number of things to cut costs. What happens then? A year or two later, or the next year, they come in and recalculate wage costs and say: Yours went down; you are getting by with less, so we do not have to give you as much as we gave you last year.

The one who got more money, who was able to raise salaries and pay more, has increased costs. So they come out, in the current formula, showing they need more. The rich are getting richer and the poor are getting poorer. It is not right. It is a transfer of wealth from poorer areas to wealthy areas of the country. It is too big a gap.

We can do something about it. This fix for which I advocated, and we passed in this Senate, is part of the bill. Likewise, it was made part of the House bill. So both bills are in conference and have fixes for the wage index according to the terms I just mentioned. It needs to be in the final bill. I have to insist it be in the final bill. We have seen in times past bills get manipulated in conference, even when something has passed both Houses and should be in a bill.

I appreciate the chairman of the Senate conference and the chairman of the Senate Finance Committee, Senator CHUCK GRASSLEY. He has stood firm on this issue. He understands the issue. He is not going to accept any erosion of this legislation. He has communicated that clearly to the conferees. There has been some discussion about it. He has communicated very clearly, in my presence, to President Bush, and President Bush agreed with him. This would be in the bill. We are moving forward with the possibility of a significant reform this time.

We need to watch it. There are a lot of competing demands for money. A lot of people in conference may have another priority, but it passed both Houses. Senator GRASSLEY is standing firm, standing like a giant oak tree. I don't believe he is going to be moved. I thank him for his leadership and determination to see this matter to its end and to make at least this significant reform in that legislation. If we do it, we will find these two classes of health care will not be continued in America where rich hospitals and rich centers get more and the rural areas get less.

There are some programs out there for rural hospitals to give them special benefits. But Alabama, like Texas, has a lot of areas that are metropolitan but not high-cost centers, or not perceived to be high-cost centers, centers in cities with 30,000, 40,000, or 50,000 people. They do not get the benefits of rural assistance, nor do they get the benefit of a big city. That factor has been hurting us.

We worked hard on this. We will be watching this legislation very carefully. The fix in it for wage index and rural health care needs to remain in the bill. I thank Senator GRASSLEY for his determination to ensure that it remains in the bill. If the bill is passed as it came out of this Senate, and I hope it will be, we will see some benefit to our hospitals, many of whom are hurting.

In particular, I note Alabama hospitals have the lowest wage index in the Nation. Why, I cannot imagine. For example, the University of Alabama Birmingham University Medical Center is one of the finest medical centers in the world. People come from all over the world to be treated there. They are No. 1 in the world in liver transplants and No. 3 in kidney transplants. They do some of the top work for the National Institutes of Health. The University of South Alabama in Mobile, likewise, is a first-rate medical school and medical center. Yet somehow this weird formula comes out in our State providing substantially less. It is just not right. Our people pay the same Medicare tax. A Texan pays the same Medicare tax as a person does in New York. But their hospitals do not get paid the same for the surgery.

We need to make some reform. We have an opportunity to make a nice step forward. It is not the end of the road. It is still too much of a gap. If we are lucky and things go as I hope, this bill will come back as it left this body. Then we can know that our hospitals, at least, had one good step forward as a result of Medicare reform and the prescription drug bill.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Rhode Island.

AMENDMENT NO. 1580

Mr. REED. Mr. President, I rise in support of the amendment of Senator HARKIN to preclude and prevent the Bush administration from eliminating overtime pay for millions of hard-working Americans.

We just celebrated Labor Day. As is the custom, the President was out addressing labor in Ohio, talking to working men and women. The reality is that many of those families depend on overtime pay to make ends meet. He did not announce to them that buried in the bowels of the Federal Register is a provision that would severely restrict access to overtime pay for millions of American workers.

He talked about creating a position of economic czar to spur manufacturing, but, frankly, I think if that audience understood that as he spoke he was also proposing and working to deny many of them access to overtime pay, they would have been shocked and amazed—as I am shocked and amazed.

At a time when our economy is searching for ways to rebound from the longest recession we have experienced in many years and from the most severe loss of employment of any administration since Herbert Hoover, the idea that we should prevent people from getting overtime pay seems ludicrous, but that is precisely what the administration is proposing.

Indeed, if the administration were serious about ways in which we could stimulate the economy, one way is to reward the effort of working Americans when they work beyond 40 hours, give them access to traditional overtime pay, and let them go ahead and use

those resources for the family, for investment in America.

Frankly, it is a shock to me that the President is conducting this campaign to surreptitiously and quietly remove overtime protection that has been the law for the country since 1938 which every American takes for granted. In the 1930s, there was a great debate about labor laws, and a compromise was struck. Some industrial nations absolutely have a prohibition on working beyond so many hours a week, and I think rightfully so, but that is too inflexible—but certainly at some level, and the level decided on was 40 hours. After that, it would be appropriate—in fact required—that a worker would be compensated for at least time and half for his wages.

We are here today because Senator HARKIN, I think quite rightly, has proposed that we step to the plate publicly—not surreptitiously—and vote on this measure, vote whether we are going to deny overtime pay to millions of Americans or continue a practice, a tradition, and a law that has served this Nation well for almost 70 years.

About 79 percent of today's workers qualify for overtime pay. It accounts for about 25 percent of their income. Just think, if working Americans—79 percent of them—lost 25 percent of their income or, even a fraction of that, 10 percent of their income. They would be in desperate straits with their mortgage responsibilities, their tuition responsibilities, and their health care responsibilities.

All of us know because we spent the last month back in our home States visiting with families who are working hard. Both spouses are working hard just to make ends meet—not saving up for a fancy vacation or for a fancy anything but just to make sure the bills are paid. As I said, in 1938 we struck a balance. We set a clear line. We said essentially that if you work beyond 40 hours a week, then you get time and a half. It gives families an option. In fact, we all know some families look forward to the opportunity for overtime work because that is what gives them the margin to get by in a very competitive environment, and a very expensive one.

In 1938, the Fair Labor Standards Act recognized that there has to be some flexibility in legislation. It says there are certain white-collar workers who are professionals—highly paid executives, highly compensated workers who do not need the protection because of the nature of the marketplace and who could be exempt from the requirement to pay overtime. They established several salary tests—a ''salary-level'' test, a ''salary-basis'' test, and the ''duties test.'' But essentially, as I view it, it was a narrow exemption. The rule was that if you worked more than 40 hours, you would qualify for overtime pay. But there is a narrow exemption for white-collar duties. Again, because of the nature of the marketplace, these individuals, because of their skills and because of their abilities, are quite capable of negotiating their own arrangements and their own terms. That was, a reasoned and principled balance. Today, that balance is being upset by the proposal by the Bush administration.

First, let's briefly discuss what the rules are today. If you earn less than $8,840 per year, you cannot be exempt from the requirement to pay overtime. That is sensible. Of course, $8,840 a year is trivial in some respects in terms of buying for a family in the United States in the year 2003. The administration recognizes that the proposal is artificially low. They proposed to raise the figure to the total of $22,100. But they are not going to index this figure. So this figure could be locked in concrete for years. More importantly, even this figure of $22,100 is basically the poverty level for a family of five. In fact, the Department of Labor's own lower living standard income level—when they do predictions—suggests that a family of four requires about $31,750 to avoid poverty. Yet we are saying there is a range of people earning $22,000 and beyond who could lose their overtime pay even though they are desperately close to poverty. It doesn't make any sense to me. I think we should raise the level. We should raise it to a level that is consistent with keeping a family out of poverty before we take away their automatic rights for overtime beyond 40 hours a week.

But the biggest change the administration is proposing is to basically broaden the category dramatically for who is white-collar or executive. What it means is that before we considered a professional—according to the definition, it is someone who has had a prolonged course of intellectual studies: lawyers, doctors, obviously academics, civil engineers with qualifications and certificates. But now the administration wants to go ahead and say, no, this is really just someone who, through experience, has gained the title of ''professional.''

This means we are opening up this possibility of losing overtime pay for draftsmen, engineering technicians, paralegals, emergency medical technicians, licensed practical nurses. And I can tell you that licensed practical nurses in a hospital are professionals but they are certainly not paid like a doctor is paid. This rule would put them on that level. She is a professional. I don't think that makes any sense. Lab technicians, dental hygienists, physical therapists, respiratory therapists, lab technicians, and some registered nurses will be denied overtime pay because they are now ''professionals.''

There is a broadening of the definition of ''executives.'' When this legislation was passed almost 60 years ago, those executives had a narrowly construed exemption. They were someone who exercised significant authority over a significant number of people. Now they are talking about someone in a minimal supervisory responsibility who could be classified as an executive. Some restaurant workers who happen to be the head of a shift of other waiters are now suddenly executives. That is news to a lot of the people I know who work in the hospitality industry. Certainly, they would be executives in terms of base pay. But in terms of overtime pay, they are not.

Again, to me, that is something that strikes against the whole spirit of people working beyond 40 hours a week. They should qualify for overtime with these narrow exemptions. Exceptions now are being broadened beyond that definition. I think this rule, as a result, is very questionable.

The effect may be that families will lose out. The average American working puts in more hours than in any other country in the world—almost 1,900 hours a year. That is how long the average American worker works.

As I said, more and more families rely on not just the income of a primary breadwinner but both spouses are working. We are the hardest working nation in the world. We pat ourselves on the back for our industry, for our dedication, and for our determination. And here the administration is not rewarding that effort but effectively punishing people, saying: Well, you might be compelled to work overtime but you won't be paid for that. That doesn't make any sense.

This has a particular impact on health care workers, I suggest, because it is so easy in that context to talk about supervisory responsibilities and professional qualifications. There is just enough pay so they will go over the threshold. My home State of Rhode Island has 68,000 health care workers. Thousands of them count on overtime pay to just make it through the month. If they lose that pay, they are going to be in a serious predicament, along with their families and our whole economy.

The Department of Labor estimates that the proposal will only affect about 644,000 Americans. Frankly, that is a gross underestimate. Probably millions will be affected by it because of the ambiguity of these new classifications because the incentives, if you will, are for employers to find ways to deny individual workers the right to overtime compensation.

In fact, the Economic Policy Institute studied just 78 of the 257 proposed ''white-collar'' occupations and estimated that 2.5 million salaried employees would lose their right to overtime if these proposals were adopted. I don't believe we should weaken the exception in this economy.

We have just today seen another report of unemployment. Unemployment is hovering at 6.1 percent at recessionary levels.

In fact, we saw a dramatic fall in payrolls, the number of people actually in nonfarm occupations working. We have seen productivity increases which are good, but they have not been balanced by gains in employment.

Fewer people are working. Since the administration took office, 9 million people have lost their job. Today, in addition to that, we are telling the people who are still hanging on to employment: ''Don't count on overtime''? That is not fair and it is not good for our economy.

I would hope we could vote on this amendment and that we could send a very strong message that what has worked for 60 years, what most people believe is deeply ingrained in the fabric of the American market and workplace—the simple notion that if you work more than 40 hours a week you qualify for overtime—can be maintained as it has been. I hope we can do that.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FITZGERALD). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. WYDEN. Mr. President, the Labor-HHS-Education appropriations bill reported by the Senate Appropriations Committee contains $10 million to fund a small, but important, provision passed in 1996 which would extend the Federal Tort Claims Act coverage to medical volunteers in free clinics in order to expand access to health care services for those who are low income and have few avenues to receive health care. This long overlooked provision is Section 194 of the Health Insurance Portability and Accountability Act of 1996 and is similar to the coverage already offered community health centers.

Congress never appropriated funds for section 194. No administration requested funding and no regulations to implement this section of the law were ever published. Yet, one of the key reasons retired health professionals often do not volunteer is the cost of malpractice insurance. Free clinics simply cannot afford to purchase insurance for them. HIPAA provided a mechanism to solve the problem, yet 7 years after the law's passage, failure to fund this section of law has prevented it from becoming a reality.

Year after year, I, and several colleagues, have urged this and previous administrations to implement this provision. The current administration has been concerned that they would not be able to implement the provision without funding. I thank my colleagues on the committee who have helped make this funding a reality, and I will continue to work with them to assure that the provision stays in through the conference.

Mrs. CLINTON. Mr. President, I rise today in support of the Reid Hispanic educational opportunities amendment.

My Democratic colleagues and I have held roundtables with Hispanic leaders across the Nation and members of the Congressional Hispanic Caucus that have allowed us to share ideas and develop an agenda that addresses the issues that matter most to the Hispanic community.

We know how important education is to Hispanics and will continue to ensure that it remains a top priority for the Democratic caucus.

Two years ago, Congress and this administration worked together to pass the No Child Left Behind Act to improve the quality of education in America's public schools. We had the commitment from President Bush that additional resources would be provided to help schools implement the changes required.

Today, this administration has broken its promise and has chosen to cut funding for NCLB next year by $1.2 billion below this year's enacted level of funding. I stand with my colleagues in support of this amendment because we recognize the education of Latino students as a national priority. We are here today to ensure that these resources are restored.

Hispanics are now the largest minority group, as well as the youngest fastest-growing minority group, in the country. Hispanic children make up 17 percent of the total school-age population in the country and recent trends indicate that the number of Latino children attending our Nation's schools is increasing. Despite these changing demographics, Hispanic children remain among the most educationally disadvantaged of all students.

Hispanic children are more likely to attend schools in predominantly low-income areas, they are more likely to be enrolled in segregated schools, less likely to complete high school, and are less likely to be enrolled in and graduate from college than their non-Latino peers.

This amendment will help restore funding for several key programs that have traditionally helped put Hispanic students on par with their more advantaged peers.

This administration has chosen to eliminate dropout prevention at a time when the dropout rate among Hispanics is growing and continues to be higher than that of White or Black students. Nationally, the dropout rate among Hispanics in 2000 was 34 percent up from 22 percent in 1990, and in New York State, the percentage rose to 38.4 percent in 2000. In New York City, 38 percent of all children enrolled in elementary and secondary schools are Hispanic, higher than any other group. These children face many barriers to graduation, yet New York City's dropout prevention grant will be zero funded in this appropriation bill.

School districts in New York and across the Nation already lack the resources, staffing and programs to help new immigrants adapt to U.S. schools and overcome language barriers. Eliminating this funding will just make matters worse. We know that young adults who do not finish high school are more likely to be unemployed than those who graduate. At a time when our unemployment rate is staggering, we should be doubling the funding for dropout prevention- not eliminating it.

I applaud Senator BINGAMAN for his leadership in making dropout prevention a national priority and look forward to working with him on this issue.

This appropriations bill cuts title III of the NCLB by $20 million, severely underfunding bilingual education programs and jeopardizing the academic success of hundreds of thousands of English language learners across the nation. New York's schools serve a large and growing number of Latino students and the rate of enrollment for limited English proficient students has grown by 44.3 percent, since 1990. Resources provided under title III of the NCLB help school districts in my State provide English language instruction to over 300,000 limited English proficient children and nearly 120,000 immigrant children.

Since this program was consolidated and turned into a block grant, states like New York have had to reduce their services. This appropriations bill adds insult to injury by forcing cash-strapped schools to serve more students with far fewer resources. Restoring this funding will help States, local schools, and colleges build their capacity to teach limited English proficient students effectively.

The children of migrant farm workers, often called ''children of the road,'' face many obstacles in their lives, including extreme poverty, geographic and cultural isolation, discrimination based on race or ethnic status, language minority status, and, most importantly, mobility.

I am pleased that this amendment restores and increases funding for key migrant education programs that serve this at-risk population, including Head Start for children of migrant and seasonal farm workers. Currently, only 664 of 1,177 eligible migrant children are enrolled in Migrant and Seasonal Head Start centers across New York. This is especially troubling given the fact that migrant children who are not in head start classrooms are either cared for by other younger siblings or are left in the fields.

This amendment will take an additional 150 migrant children in New York out of the fields where they are put at risk of exposure to harmful toxins and pesticides and into quality head start classrooms where they can receive the social, behavioral, and cognitive skills they need to help prepare them for school.

This amendment also restores funding to the High School Equivalency Program, HEP, and College Assistance Migrant Program, CAMP. The HEP and CAMP programs are both very important to New York as well as other States in the Northeast. The HEP program helps migrant students who have

dropped out of high school get their GED, and CAMP assists migrant students in their first year of college with both counseling and stipends.

The children of migrant farm workers face the highest dropout rate among all other Hispanic American ethnic groups. Current estimates place the dropout rate for migrant at between 50 and 60 percent. Before the Federal Government created CAMP programs, there was no record of a migrant child having completed college. With HEP and CAMP these students are making amazing progress. At the State University of New York at Oneonta, both programs serve students from migrant and seasonal farm working families from New York, Maine, Pennsylvania and Connecticut. This year, Luis, a New Yorker and former HEP and CAMP student will be entering as a sophomore at SUNY-Oneonta. Luis' experience as a migrant youth is shared by countless other children of migrant and seasonal farm workers.

For many migrant children, moving from state to state can take its toll. For Luis, it resulted in a pattern of repeating grades until he quit school to work with his father in the vineyards in Western New York. A year later, he learned about High School Equivalency Program, HEP. With the assistance of the HEP program, he earned his GED, applied to college, and was accepted to SUNY last year as biology major. As a CAMP student, Luis received vital academic, social, and financial support during his first year of college, the most critical year for most first-generation college students.

Luis now mentors other CAMP students, is a member of the Migrant AmeriCorps program and has maintained a cumulative GPA of 3.04. Securing additional resources for HEP and CAMP will help ensure the dreams of students like Luis become reality. I also support increasing funding for Hispanic Serving Institutions, HSIs.

For New York this increase will help 12 colleges and universities expand their capacity to serve a large and growing number of Hispanic students. By supporting these institutions we are recognizing the large contribution they make to increasing access to higher education for traditionally underserved communities, and are making the dream of college a reality for many more Hispanics. The condition of America's future will depend upon how well we meet the demand for an educated workforce.

Cuts in education programs might help balance the books in the short-term, but it is a bad idea for our economy in the long-term. We need a highly skilled workforce to compete in this global economy and investing in the education and training of our Hispanic population will help our Nation meet this challenge.

I therefore urge my colleagues to support this amendment.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask that we now be in a period of morning business.

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

DC SCHOOLS

Mr. FRIST. Mr. President, yesterday the Senate Appropriations Committee passed legislation that has real promise, and that promise goes to the heart of offering the schoolchildren of this city, the District of Columbia, a genuine, a real opportunity to achieve an education. Specifically, I am talking about the DC Choice Program, a program my colleague from New Hampshire, Senator JUDD GREGG, has worked so very hard on over the past several months; an issue that other colleagues, especially MIKE DEWINE, the Senator from Ohio, has been so committed to; an issue that colleagues from the other side of the aisle, Senator FEINSTEIN and Senator BYRD, are both committed to. Indeed, both showed, I believe, bold and courageous action on behalf of the Capital City's schoolchildren.

The District of Columbia appropriations bill provides $40 million for public schools here in the Capital City. That money will be divided between public charter schools and a new private school tuition program that would offer up to $7,500 per student for about 2,000 additional students.

Regrettably, some of my colleagues on the other side of the aisle supported doing nothing, supported the status quo. They refuse to allow 2,000 of the District's schoolchildren who are from hard-working, low-income families to have that opportunity of earning a better education. They would rather trap these children in failing schools. They would rather tolerate failure than take a chance at success.

The record of the District's public schools is shocking. Despite unprecedented Federal and local spending in the District totaling about $12,000 per student, the District's scores are the lowest in the Nation. Only 10 percent of the District's fourth graders are proficient at reading. Fewer than 12 percent of District fourth graders can write at grade level. Only 6 percent of District fourth graders can do math at a proficient level.

This is a disgrace. DC's public schools are graduating children who cannot read, who cannot write, who cannot add, and who cannot subtract. Would any of us in this Chamber allow our children to be illiterate and unable to do simple fourth grade math problems? The answer is obvious.

In fact, many of those who oppose Choice for the Capital's schoolchildren send their own children to private schools where their children are able to read great literature, learn calculus, learn physics, and dream about careers in anthropology, or careers in aeronautics, and, indeed, go on to competitive colleges and universities.

Unlike some of my colleagues here on the Hill, the locally elected officials from the District itself want the very same for the District's school age kids. They are determined that the District schoolchildren will learn to read and to write and thereby share in that American dream. The city's Mayor, Anthony Williams, understands that. The DC Board of Education president, Peggy Cooper Cafritz, and city council member Kevin P. Chavous are all courageously advancing the cause of universal education for kids here in the District of Columbia. They understand it. Most importantly, the people who understand it and who are leading the fight are the parents of the kids here in the District.

Across the city, parents are lining up in order to obtain better options and better alternatives for their children. The need is so intense that the District Public School Choice Programs are now way oversubscribed. Each year, more than 1,000 schoolchildren are ''wait-listed'' for the city's magnet programs. Charter schools educate right around 15 percent of DC kids, with nearly 11,500 children in attendance and another 1,000 on waiting lists to get into these charter schools.

When John Walton and Ted Forstmann invested $2 million in the Children's Scholarship Fund here in the District, more than 10,000 families applied for about 1,000 seats.

Virginia Walden-Ford, the executive director of DC Parents for School Choice and a mother of three, knows first hand how desperately parents want a better education for their children. She tells me that each week she receives in her organization hundreds of calls just about this issue of having a better choice, a better alternative. She knows first hand the desperation of these parents.

Virginia had to take matters into her own hands when her son was having trouble in school. He was skipping school. He was having run-ins with the law. He felt like no one cared. He also felt peer pressure to not work hard, to not achieve, to not aspire. Virginia, as a parent, was terrified. We all would feel this way. She was terrified of what would happen if her son stayed in that environment—if he stayed or was trapped along this path that would lead to nowhere. So she decided as a parent to make a difference and to make a change. She sent him to a private school. And within 2 weeks she tells me her son, who she was so worried about being trapped in this environment in which there was no escape whatsoever and no opportunity to achieve that American dream, was transformed—no more getting into trouble, no more skipping school, no more getting into trouble with the police, no more skipped homework assignments. Virginia asked him why. What made that difference? What led to that transformation?

Her son told her very directly that the teachers for the first time cared

about whether he learned. At the new school, skipping class and not showing up the next day was a major infraction. For the first time, Virginia was told by her son that he actually felt safe walking through the school's hallways. Not only did Virginia's young son graduate, but unlike many of his friends at the old school who had dropped out before graduation, he graduated with a 3.8 grade average. And, indeed, today he proudly serves in the Marine Corps. Virginia believes that going to private school literally saved her son's life.

That is one story. There are thousands of stories like that in terms of better opportunities. But there are thousands more parents who want the same for their kids, who want that opportunity, who simply don't have that opportunity but who will now have that opportunity if the bill that was passed yesterday in the Appropriations Committee ultimately becomes law.

It is nonsensical to withhold from these parents the opportunity to have their kids be able to go to a school where they will thrive, where they will have those new opportunities.

Yesterday, as I looked at the vote and who voted which way, it is clear that a majority of Senators in the Appropriations Committee—and I believe a majority of Senators on the floor of this Senate—are parents like Virginia who will demand better options for their children, and thus the Senate will support giving them those options.

I, for one, support each child's right to learn to read and write and add and subtract. Basic education for our schoolchildren simply cannot wait. It is incumbent upon us to act.

Cardinal McCarrick, who is the Archbishop of Washington, DC, understands how crucial choice is to the future of this city's kids. I had the opportunity to discuss with Cardinal McCarrick this very issue. He stressed to me the importance of this piece of legislation to open up that opportunity to families and to kids all across the District. He wrote me a letter earlier this summer, which I ask unanimous consent to be printed in the RECORD.

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

ARCHDIOCESE OF WASHINGTON,
Washington, DC, July 21 2003.

Hon. Senator Bill Frist,
Dirksen Senate Office Building,
Washington, DC.

DEAR SENATOR FRIST: As the U.S. Senate committees review legislative proposals for appropriations to fund the DC School Initiative, I would like to restate in the strongest terms my support for this initiative and all that it represents.

Our Catholic Schools in the District of Columbia have served the children and families of Washington for over 100 years, and we are determined to continue to provide for these families in the future. We are committed to the City and to all its families and children. In fact, the majority of our students in the District are not Catholic. As stewards of education we recognize the need for every student to have equal access to educational opportunities that will best serve the needs of both the family and the child. It is because of this commitment that we wanted to work in partnership with Mayor Williams and our colleagues on the City Council, on the School Board, in the Superintendent's office, and in the private sector. Working together, putting politics aside, we realized the need for a three-sector initiative. It is a simple collaborative model, and yet it continues to remain a controversial concept to some.

This three-sector concept has formed the basis for the DC School Funding Initiative. This approach provides the opportunity for all in leadership to support the strongest strategy to date for improving and increasing educational options for low-income families. Just as a triangular structure is the sturdiest of structures, because each side reinforces the other, the three-sector approach allows the whole of DC education to be greater than the sum of its parts.

The Archdiocese of Washington is committed to this solid approach and strongly supports legislation that provides 45 to 50 million dollars over five years for:

a. DC public schools to bolster the Transformation schools, to recruit principals and teachers, and to provide for professional development programming,

b. DC charter schools to support building renovations; and

c. Non-public scholarships for the neediest families in the District to be used to pay for the cost of education at the school of choice.

Let me just say a further word about the third part of this triangle, the help for parents who want to exercise their right to choose a non-public school for the education of their children. If they are poor—as so many of our families here in the District are—they have the right in theory, but they cannot exercise it in fact because they cannot pay the cost of their education. Some are working three and four jobs just to make their choice possible and your heart breaks to see this sacrifice made year after year. This three-sector program will help them as it will help the youngsters in the public system as well.

It is our sincere belief that this partnership model is significant and worthy of legislative support, funding, and assessment. This unique model of cooperation and strength affords all three sectors opportunities to engage in shared research, planning, and the continued development of services to support all children.

Hoping these legislative initiatives will be successful, the Catholic Schools of Washington, DC are prepared to accept 1,200 to 2,000 students. Many of these students may attend schools that already serve low-income neighborhoods. In fact eleven of our Center City Consortium schools currently serve a population that is 99% non-white, with 65% non-Catholic, 50% living below the poverty level, and 70% of the students living in single-parent households. More important, these schools are successful—with 100% of the graduating students accepted at Catholic High Schools, where 99% of the graduates go on to college. The average cost of educating our children is approximately $7,000 per child compared to the $12,000 cost for the District of Columbia. This ground-breaking initiative to participate as partners in education is an opportunity each of our District of Columbia Schools welcomes.

This is a unified and comprehensive strategy to level the playing field for underresourced communities by ensuring economically disadvantaged families a chance to pursue all options, giving all children access to quality educational choices.

The Archdiocese remains committed to the three-sector initiative. Together with the Mayor, the City Government, the School Board, and our colleagues in all charter and non-public schools, we share this dream of giving the children and the families of our nation's Capital one of the finest educational opportunities in the land. All three sectors need to be supported for this partnership strategy to succeed. Each sector gains strength and stability from the other sectors. This is a partnership representing a long-term commitment of cooperation for the good of our children.

Thank you for the opportunity to share our commitment to this vision.

With every good wish, I am

Faithfully yours,

THEODORE CARDINAL MCCARRICK,
Archbishop of Washington.

Mr. FRIST. Mr. President, in that letter, he tells me that he regularly in the course of his counseling and in the course of his work sees parents who work ''three and four jobs just to make their choice possible.''

He goes on to write that ''your heart breaks to see this sacrifice made year after year.''

My fellow colleagues, parents are breaking their backs in this District to send their kids to schools that work, schools that really teach, schools that really provide an environment in which learning can take place. When you learn that only 10 percent—only 1 out of 10—of the District's fourth graders are proficient readers, your heart breaks all over again. These children almost certainly will never be able to catch up.

I would like to close these brief remarks with a statement from the editorial page of the Washington Post. Although I don't quote the editorial pages of the Washington Post often, on this issue the Post is absolutely correct. The editorial reads:

> It is inexcusable for a group of Senators, many from distant States, to turn this into a partisan issue of their own. Instead, they should fight to make the District of Columbia school system work better for more children, in public, private and charter schools across the city.

''They should fight to make the DC school system work better for more children.''

Mr. President, we should—and we must—fight to do just that. The District schoolchildren should not be trapped in the shadows of our shining city on the hill. They deserve, and their families deserve, our best efforts to make their classrooms models of success. They deserve, just as much as any other child—as much as a child of a U.S. Senator—to achieve the American dream. We can give them that opportunity.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

SENATE AGENDA

Mr. FRIST. Mr. President, I have a few comments to make about the fall

and some of the progress we have made to date, and then I plan on closing the Senate for the weekend. Not having had the opportunity this week, the first week back after our August break, I did want to comment a bit on the agenda.

Over the course of the week, we have had time to have our conference, and I talked to the Democrat leader as well, and I think over this week we have made good progress. There has been not quite as much progress today as I would like. I am very hopeful we will make more progress on the Labor-HHS appropriations bill. But after discussions with our own conference and the leaders on the other side, I am optimistic and very excited about the agenda for the next several weeks and into the fall.

Over the course of this week, we have made good progress. We have had seven rollcall votes. We have disposed of a number of other amendments, and I remain hopeful we can complete action on this bill early next week so we can continue with other appropriations bills.

In addition, this week we passed several important banking reforms under Chairman RICHARD SHELBY's leadership, including hospital mortgage insurance and the FHA mortgage commitment. I thank Senator SHELBY for his tremendous leadership on both of these issues.

Next week, once we complete Labor-HHS, we will go, as I mentioned, to other appropriations bills. Chairman STEVENS this week was able to process all of the remaining appropriations bills. We have done three of the 13 bills. We are on our fourth appropriations bill. The rest of those bills were processed in committee and, indeed, all of them now are awaiting Senate action. That is why again and again, as majority leader, I will be encouraging our colleagues to work together and continue to make progress because all of this we are directed to do over the next 30 days. So I ask for patience, cooperation, and partnership so we can continue to move in the direction of completion of these bills.

Next week, we will continue working with the Democrat leader on the commemoration we will have in this body for the anniversary of September 11. With all of these efforts and the accomplishments of the last 8 months, if you put it all together, the Senate has made steady, consistent progress. That is what the American people want, that is what the American people deserve, and that is what they expect. So I think we are on course.

If we look back over the last several months at issues such as our jobs-and-growth package to tax relief to global concerns, such as HIV/AIDS and the commitment we have made and the legislation we have passed, we see a whole range of policies that directly impact people's lives, at a very personal level, a very intimate level, both here at home and, indeed, across the globe.

Over the August recess, I had the opportunity to spend much time in Africa, to be able to look firsthand at the ravages of HIV/AIDS and the devastation that this greatest of all humanitarian causes has inflicted upon a people, but also the great hope that can result and is resulting from the commitment of the United States of America in this regard.

We will continue into the fall season with a very clear mission. It is the mission that I have stated on the floor, in our leadership meetings, and in our caucus: to move America forward and to do it in such a way that serves the cause of the freedoms that we all cherish, the freedoms for which we fight, the freedoms upon which this country was founded.

That mission is coupled with forging a path of security in a whole range of fields—in military, defense of the country, and health care—and to forge a path of strength and opportunity as reflected in my statement just a few minutes ago for the American dream of the people in the District through expanded school choice.

As we look at this mission of moving America forward, I very quickly think of the issue of energy. We left before the August recess having passed very important legislation, the energy legislation under the leadership of our colleague from New Mexico, Chairman PETE DOMENICI. Little did we know that within 2 weeks of that we would have the August 14 blackout that blanketed the Northeast and Canada and dramatically brought home to us, in a concrete way, the importance of that legislation and the importance of completing that legislation which addresses the issues of the energy supply, abundancy, and a more secure energy policy.

Although I am not sure if they are finished now, a few hours ago the conference committee on energy between the House and Senate were meeting. Going into that meeting, I talked to Senator DOMENICI. He said how excited he is that we have an opportunity now that we have tried to realize in the past, an opportunity to realize something that the American people again deserve and expect and that will impact the lives of every single American in such a positive way.

The chairman and members on the conference committee have been hard at work with the administration in developing a policy that is consistent with what we are working towards today, and that is solutions to the energy crisis which address everyday Americans, whether we look at production, consumption, or transmission of electricity. So as we look into the fall and project ahead, I am confident we will have an Energy bill on the President's desk by the end of the year.

This week, there has been much discussion on the supplemental to our efforts in Iraq. Although we do not know what that figure from the White House will specifically be, it is clear, at least to my mind—and there will be debate and discussion and points will be made, but at the end of the day, we will stand behind the President and the request of the President of the United States, and we will provide those resources and provide them proudly because we must win. We will win. There is no question in my mind we will win, but we must be fully behind that effort to make sure that those freedoms, which are the very freedoms upon which this country was founded, are preserved for our current generation but also for the future.

Our work around the world and with the world community to bring Iraq into that world community of nations not only advances freedoms across the globe but a safer and a more secure Iraq indeed makes Americans safer and more secure.

We have the challenges before us, but there is no question that we will win that war on terrorism, that we will win those battles for security in Iraq, and that we will provide those appropriate resources.

As we look at moving America forward, we started by passing a Medicare prescription drug bill in this body, but our full impact has not been felt and will not be felt until we have a final product in the conference report, which is currently underway. Meetings among colleagues have taken place this week on both sides of the aisle to help develop that final product in Medicare and really to develop a Medicare system that, for the first time in the almost 40 years of its existence, will offer help to people who need that help for prescription drug coverage.

There is a lot of talk about: Can it be done? Is there going to be a backlash to it? It is going to cost too much. It is too complicated to do now. There is still a lot of partisanship. Some say it is going to get mixed up in elections. I hear all of that again and again, but this is a particular issue that this body has spoken on strongly and overwhelmingly.

There were over 70 votes in favor of this legislation. It is legislation that will have an impact, again, on millions of seniors' lives.

It leaves me to fairly confidently say we are going to have a bill that is going to be on the President's desk sometime this year—I cannot predict exactly when it will be—that will represent the most significant legislative change, and I should also add the most significant increase in resources applied for health care security for seniors and individuals with disabilities; this gets lost a lot, but a bill that focuses on low-income people who simply do not have the resources to buy what we know are very expensive drugs, lifesaving drugs, quality-of-life-improving drugs.

This bill will cut the burden of prescription drugs by over half on people who are low income or simply have no health insurance or no access to those lifesaving drugs. It is a bill that will provide immediate relief. We are not

talking about 5 years from now or 10 years from now but literally within probably around 8 to 9 months after the President signs that bill, every senior will have a prescription drug card that will give them help immediately with the purchase of those prescription drugs.

We have a challenge. The challenge is basically to take the very best of the Senate bill and the very best of the House bill, bipartisan, bicameral, and put it together to accomplish those goals. I am confident we are going to be able to do that in spite of the naysayers, who—and I am not sure what drives it—basically say it cannot be done, it will not be done. I am confident it will be done. It will be challenging, but it will be done.

When I think of security in Iraq and the security of our freedoms or energy security, it comes back to health care security because if one is a senior or a near senior, their greatest fear is something is going to happen to them or to their mom or spouse, and it is going to wreck their life. They are going to die, their spouse is going to die, or their mom is going to die because of lack of access or lack of ability to access that can be lifesaving.

Looking at other areas of health care, these are all things that we will be addressing very directly over the coming weeks.

There is the issue of frivolous lawsuits. People will say, well, we addressed this 3 months ago, or tried to address it, and therefore we do not need to come back to it for another 3 or 4 years. That is not the way we are going to approach it. We are not going to approach it because it is a problem that affects access to health care to people all over the United States of America with now 22 of the 50 States in what can be classified as a health care crisis because these frivolous lawsuits have now—maybe unlike 10 years ago—come to the point that it affects health care for everybody who is listening to me. Frivolous lawsuits are increasing in number every year—frivolous, unnecessary lawsuits. The lawsuits that are legitimate need to be there and there needs to be fair and just compensation. I am talking frivolous, unnecessary lawsuits which are driving up the cost of health care, premiums to doctors, causing doctors to leave their practices and causing doctors to leave certain communities and move to other States, thus affecting—for everybody listening—access to quality health care.

When it gets to that level, it becomes a crisis. It is our job to respond. Although when we brought it to the floor 3 months ago we were unsuccessful in transforming the system, it will come back in the next several weeks. We will bring it back. Until we educate those who do not fully understand access and quality of care are being affected by the unnecessary, frivolous lawsuits—until people are fully educated, we will keep bringing it back and, indeed, make a difference.

Another health care issue, although it is as much a jobs issue and an issue of the economy, but also health related, is asbestos. It is interesting because as a thoracic surgeon, a chest surgeon—which is what I did before coming to the Senate—when I thought of asbestos, I thought of a disease called mesothelioma, a disease of the chest which is encasement of the lung, probably one of the most difficult operations a thoracic surgeon can do. People think transplants are difficult. That is fairly straightforward compared to trying to resect and fix a mesothelioma of the lung, chest cavity, which is caused by asbestos.

The asbestos legislation was reasonable, and the intention was to have adequate and fair and equitable reimbursement for asbestos-related disease. That is positive, that is good, and good legislation.

The problem today is a little bit like the medical liability issue. We have unnecessary claims being filed. People see there is a big pot of money out there. We have around 600,000 people who filed claims because they think there is a pot of money and because the legal system has gone awry. They know that by filing a claim, they will be able to claim some of the pot of money.

Again, like the medical liability issue, we need to, in a rational and balanced way, fix the system. It is a system that has gone awry because of certain incentives. The chairman of the Judiciary Committee, ORRIN HATCH, has done a fantastic job and said let's get everybody together, from the left, right, Democrat, Republican, union, nonunion; let's all get together—business, workers, patients, consumers—and develop legislation, work through the committee. That is the first step. Now we need to take that legislation, improve it, strengthen it, educate this body broadly.

People will soon realize it is health care in many ways but it is also a jobs and stimulus package. Since the early 1980s, 70 good-sized companies have gone bankrupt because of the liability that has been thrust upon them. Some OK, probably, but a lot not OK. A lot has been irrational that has been thrust upon them, and they have gone out of business through nothing intentional, because of the way the legislation is written. Of those 70 companies over the last 20 years, a third of them have been in just the last 2½ years.

So the problem is getting worse as we go forward, although the estimates of the cost of asbestos with the runaway lawsuits vary, and they are very rough. I recall one figure, that over 420,000 jobs have disappeared because of these inequities associated with asbestos and the legislation that was originally written.

It is a health issue, it is an equity issue, a fairness issue, and also a jobs issue. If we fix the problem, and fix it appropriately, we are going to have jobs actually created in the future. As people spend more time with this legislation, they will understand that.

Class action litigation, although I don't know exactly when we will address it in the Senate, is an issue we will address on the floor of the Senate. Frivolous lawsuits are clogging the system. When they clog the system and we have this use of resources, it is dollar resources, it is also person power resources. When we use the resources in a wasteful way, we cannot use the resources in a way that is productive, that will help individuals in whatever realm of life. The class action suits have clearly gotten to that point with frivolity, the waste, the unnecessary suits. That is something we on this floor sometime in the next several weeks will address.

If we have the frivolous lawsuits, it is obvious they clog the system. They stifle innovation, they stifle creativity, they cost jobs, and they can even endanger the lives of our fellow citizens—all of that, as we talk about the proposal which is before the Senate, a bipartisan proposal that can bring more order and efficiency to the system. This will become more obvious to both colleagues who do not focus on this and also to the American people.

We can bring order, we can bring efficiency, and we can bring balance and rationality with the best use of resources to the system.

I add that we will be able to protect Americans listening right now, Americans and American consumers, from unscrupulous and exploitative litigators who are out there in many ways grubbing for that dollar to take advantage of the system.

Environmental concerns. We had the opportunity to meet with the President this week, and we talked about a whole range of issues, starting with Iraq and the security issues, moving quickly to the importance of jobs and the economy, and talking about several of the issues I mentioned, but very early coming to a range or group of environmental issues.

It is very obvious that in the West, the long drought and dry timber have created a dangerous situation, a perilous situation. We see on television and hear from those Senators who represent the States, when you fly over the country, you foresee the mammoth fires that can start with just a single spark. Overnight they threaten property, threaten communities, and threaten lives.

The President of the United States, President Bush, has proposed legislation that will reduce the danger of fire. How? By sensibly and rationally managing forests with a better balance of forests—conservation on the one hand and citizen safety on the other.

I have to mention that tax issues will likely come up in the next several months. People clearly on our side believe strongly we need to make the tax relief that the President has put on the table permanent so people can plan for the future, so citizens can have more money—or at least do not increase taxes. Citizens will have more money

to be able to spend and invest the way they wish rather than send it to Washington, DC, and let Washington, DC, decide how to spend that money. That does give economic stimulus and creates jobs.

We will most likely examine in the Senate, under the leadership of Senator KAY BAILEY HUTCHISON of Texas, the marriage tax penalty. Once again, the complexities of the Tax Code, combined with peculiarities of our budget laws, have created a tax, a penalty for people who are married. Maybe a teacher and a policeman are married and they are paying more if they are married than if they were not married. It does not make sense. People do not understand it. We know these couples have been unfairly taxed. We will argue that it is unfair. I hope this inequity that we have made some progress in addressing in the past we can really permanently erase.

In the area of family—partial-birth abortion is something we have debated on this floor. We passed it in this body. It was vetoed by President Clinton in the past. We have passed it in the body, and the House has passed it in the past. Now we have to pull those two together in conference. The problem is, we can't appoint and can't fulfill appointment of the conferees until we have another debate on the floor of the Senate. I am working very hard to get that scheduled so we can go to conference, have a bill and send it to the President so we can finally, finally ban partial-birth abortion. We don't need to get into the issue right now, but it has been described by Members on both sides of the aisle as close to infanticide as you can get. Yet we still have not been able to come to agreement on both sides of the aisle about the conferees, go to conference, and send the bill to the President. We are going to bring this to closure sometime here in the next several weeks.

Senator MIKE DEWINE from Ohio and Senator LINDSEY GRAHAM—I can't come to this floor without them saying, What about our Unborn Victims of Violence Act? It is something we debated on this floor, we made the case for, and now is the time for us to complete our legislative activity so we truly can protect unborn victims of violence.

All of this is ambitious, but it is time to be bold and it is time to be ambitious. I think this body demonstrated this again for the most part in a bipartisan way over the last several months. But each of these issues that I have mentioned will be addressed on the floor of the Senate.

Yesterday an event happened. Again, I don't need to rehash that today, but the withdrawal of Miguel Estrada's nomination yesterday was a tragedy. It was a sad day for this body. At the end of the day I had the opportunity to call and talk to Miguel Estrada, and there is just simply nobody to my mind who is better qualified for the position for which he was nominated and who was more unjustly treated by this body.

These blocked judicial nominations are maybe the biggest challenges we have before us—unprecedented filibusters, unprecedented partisan filibusters on the floor of this Senate are unpardonable, I believe.

We are going to stay focused. We are going to do our very best to educate, to break these filibusters. I think one day the consequences of the minority blocking highly qualified nominees without good reason will come home to roost.

Other issues, reauthorization issues, and then I will close. I know it is late on this afternoon and we need to move on. But reauthorization I at least wanted to mention. There are many so I don't want to mention them all, but reauthorization of welfare, of the highway bill—again, a lot of discussion this week as we look forward to addressing these sorts of issues in the coming weeks.

There are a lot of opportunities. It is a huge responsibility for each of us in the coming weeks. But I am absolutely confident that by pulling together, by working as a team, by working across the aisle, we will be able to advance the mission I mentioned of moving America forward and to do it in a way that celebrates the freedoms we all enjoy.

We will be able to make meaningful progress in our Nation's economic life. We will be able to make meaningful progress in our Nation's moral life. We will be able to make meaningful progress in our Nation's civic life.

We are going to have a very busy and we are going to have a very productive fall.

SECTION 189 OF THE FAA CONFERENCE REPORT, H.R. 2115

Mr. COLEMAN. I would like to engage the Senator from Mississippi in a colloquy regarding section 189 of the conference report in order to clarify the intent of the conferees.

Mr. LOTT. I would be pleased to engage in a colloquy with the Senator from Minnesota.

Mr. COLEMAN. It is my understanding that this section is a very limited, temporary funding restriction that will not affect noise mitigation funding in any significant way. Federal airport improvement program monies from the ''Noise set aside'' have not normally supported noise mitigation projects below a Day-Night Average Sound Level (DNL) of less than 65. This is because under the FAA's system of ranking projects for the use of the noise set aside, projects to reduce higher levels of noise having funding priority and projects below 65 DNL have not normally ranked high enough to get such funding. I further understand that nothing in this section or any other provision of the FAA conference report would prohibit an airport from using either passenger facility charges, PFC, or other locally generated monies to fund noise mitigation projects below a DNL of 65. It is also my understanding that the provision is not intended to change the FAA's current approach of not disapproving an airport's entire part 150 noise program, where there is only a portion or portions of the program that are problematic. The FAA would continue to be able to disapprove portions of a port 150 program, while approving other portions, as they do today. Furthermore, the provision would not affect noise set-aside funding that would not require part 150 approval, such as school soundproofing or noise mitigation for an airport expansion project in an FAA environmental record of decision.

Mr. LOTT. The Senator is correct. The intent of this provision is a narrow one and does not affect the use of non-AIP funds by any airport. Nothing in this section or any other provision of the FAA conference report would prohibit an airport from using either passenger facility charges, PFC, or other locally generated monies to fund noise mitigation projects below a DNL of less than 65. It is my understanding that the FAA agrees with this interpretation of the effect of the provision.

CHANGE OF VOTE

Mr. COLEMAN. Mr. President, with respect to rollcall vote No. 323, I was recorded as voting ''nay.'' I ask unanimous consent to change my vote to ''yea.'' This change will not affect the outcome of the vote.

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

COACHES AGAINST GUN VIOLENCE

Mr. LEVIN. Mr. President, I want to bring to the attention of my colleagues a new and innovative program created by the Alliance for Justice called Coaches Against Gun Violence.

This program asks high school coaches to dedicate one game or event each year to gun violence prevention. The dedication can take a variety of forms, including inviting a local speaker to talk about gun violence, recognizing a victim or his or her family, having a school assembly devoted to the issue, or distributing ribbons in remembrance of lives lost to gun violence.

Each year, millions of students take part in athletic activities. Coaches are leaders and mentors and have an enormous impact on the lives of many of their players. Harnessing this influence to educate students about the deadly effects of gun violence is an excellent idea.

According to statistics compiled by the Alliance for Justice, there are an estimated 3,400 firearm-related injuries and 1,000 deaths each year in Michigan. In 2000 alone, 133 Michiganders under the age of 20 were killed in incidents of gun violence, and 3,894 people under 20 years old were killed in firearm-related incidents in the United States. These statistics are sobering. The Coaches Against Gun Violence Program is a

creative approach to educating young people about the deadly effects of gun violence and I hope that coaches across the country will consider this program for their school communities.

I urge my colleagues to encourage coaches in their home States to join the Coaches Against Gun Violence, and I commend the Alliance for Justice for its efforts.

PROTECT HOME HEALTH CARE

Mr. BOND. Mr. President, home health care is an important part of Medicare in which seniors and the disabled can get basic nursing and therapy care in their home. I rise today to urge the Senate Medicare conferees to stand firm against provisions in the House passed prescription drug and Medicare reform bill, H.R. 1, that would make further cuts in the Medicare home health benefit by reducing the home health inflation update and imposing a new copayment on home health beneficiaries.

Home health care is convenient, but much more importantly, patients love it. I have seen this first hand as I have had the privilege of visiting with many of my constituents who rely on this benefit. They love home health care because it is the key to fulfilling what is virtually a universal desire among seniors and those with disabilities—to remain independent and within the comfort of their own homes despite their health problems.

Since the passage of the Balanced Budget Act of 1997, BBA, no other group of Medicare patients and providers have endured as many difficulties. This is a big claim, given the many horror stories we've heard about the Balanced Budget Act. But absolutely nobody has suffered like home health patients and home health agencies. True reform means more than just ratcheting down payments to providers and services to patients.

Since 1997 Medicare home health spending has been reduced by over 40 percent and the number of beneficiaries by 1.3 million, or about a third. Forty percent of the agencies in my State have closed down or quit serving Medicare patients.

In a move to modernize the Medicare program, Congress eliminated the home health copay in 1972 to encourage the provision of health care in the home rather than in more costly institutions. With all the cuts in home health care that have occurred since 1997—including the loss of venipuncture, blood drawing, as a qualifying service, the imposition of per beneficiary limits under the interim payment system, cuts in the market basket inflation update, a ''15 percent'' cut in October of last year, and the loss of the 10 percent rural add on in April of this year—MedPAC has recently confirmed an alarming trend toward greater use of nursing home care. The reimposition of a home health copayment now would be a step backward that would exacerbate this recent trend.

Home health beneficiaries already must pay the Part B deductible and a 20 percent copay for preparation of a home health plan of care and ongoing home health care oversight by a physician. Over half of home health patients come directly from the hospital and must pay the Part A deductible of over $800 in order to receive the home health benefit. Often they and their families must pay out of pocket for personal care services to assist with activities of daily living.

Our Nation's dedicated home health providers—and you know they are dedicated if they have stuck with it through the difficulties of the last few years—deserve to be left alone and given a rest. They, and the patients they serve, deserve to be left alone to recover from the post-BBA chaos. They deserve to be left alone in order to adjust to a new home health payment system.

In passing the Senate prescription drug and Medicare reform legislation, S. 1, the Senate wisely chose to forgo further cuts in the home health benefit. I urge my colleagues on the Medicare conference committee to oppose the provisions in H.R. 1 that would further cut and destabilize the home health benefit.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in San Diego, CA. On September 24, 2002, two teenagers attacked an immigrant, Jose Luis Cisneros, that left him in a coma for several days and with head and facial injuries. The pair were charged with hate crimes. According to the Deputy District Attorney, they went looking for ''beaners'' to beat and rob and went to a spot where they knew they could find undocumented immigrants.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

IN RECOGNITION OF THE 160TH ANNIVERSARY OF B'NAI B'RITH

Mr. LEVIN. Mr. President, I would like to call my colleagues' attention to a very significant milestone for our nation's oldest and one of the largest service organizations, B'nai B'rith, which was founded on New York City's lower east side in October 1843. Its name, meaning ''Children of the Covenant,'' reflects a commitment to unify Jewish people everywhere in service to their community and the world. On September 7th, in my home state of Michigan, the Great Lakes Region of this great organization will celebrate the B'nai B'rith anniversary and mark its many achievements in helping others, advocating freedom and democracy, and combating racism and bigotry.

Over the years, B'nai B'rith has been steadfast in meeting challenges on many fronts. Motivated in part by core Jewish values such as loving-kindness to others and peace and justice in the world, it has acted on a fundamental belief that all people should be treated with dignity and respect. Its members have answered the call to stand against racism, persecution, and violence against Jews and others, while working to protect basic human rights and preserve justice. B'nai B'rith has taken a leadership role during pivotal times in our history. Its members have worked to steer our nation on the right path to the benefit of all Americans. They opposed General Ulysses Grant during the Civil War when he attempted to expel Jews from several states. They urged President Theodore Roosevelt to take action in 1903 with the Czar of Russia to denounce anti-Semitic violence. And in 1913 after the lynching of B'nai B'rith member Leo Frank in Atlanta, B'nai B'rith leaders were moved to organize the Anti-Defamation League to battle bigotry.

Now as an international organization, B'nai B'rith is represented in 58 countries around the world. It has a full-time presence at the United Nations and the European Union in Brussels. It has the proud history of having initiated many programs and services, from disaster relief, to feeding the hungry, to medical research, to housing for the low-income elderly, to Jewish education, to a premier Youth Organization and an effective campus outreach for thousands and thousands of Jewish college students. B'nai B'rith helped bring war criminals to justice, has worked tirelessly for Jewish security around the world, and has helped to strengthen the land of Israel. After more than a century and a half of innovation and activism, B'nai B'rith is stronger than ever and continues to make an important and meaningful contribution around the world.

B'nai B'rith can be proud of its dedication to preserve Jewish heritage and promote values that inspire individuals to act in goodwill and to shape their communities for the betterment of all. We as a nation have benefitted from their extraordinary contributions both here and abroad, and I am sure that my Senate colleagues join me in paying tribute to B'nai B'rith for 160 years of superior performance in serving the needs of generations of Americans and people of nations around the world.

100TH ANNIVERSARY OF TEAMSTERS UNION

Mr. KENNEDY. Mr. President, it is a special honor to take this opportunity to congratulate the Teamsters Union on the 100th anniversary of their formation. On that historic occasion a century ago, the merger of two smaller unions of local delivery men using vehicles drawn by teams of horses launched the extraordinary union we know today as the International Brotherhood of Teamsters.

In those early days, such workers were often fired for union activity, and some were even killed. But the Teamsters persevered and began to thrive. By the 1930s, inter-city truck drivers had become the predominant members of the union, and they fought hard for legal protections, especially the National Labor Relations Act and basic laws setting minimum wages and maximum work hours for their work.

In World War II, the Teamsters were a key part of the war effort. They served with great courage in the armed forces. They vigorously promoted war bonds and the collection of scrap metal and rubber.

When the war was won, they came home and took up the great cause of social justice in communities across the land, fighting for civil rights and striving to see that America's workers received their fair share of the Nation's amazing post-war prosperity.

Now, on this remarkable centennial, the Teamsters are one of the Nation's largest, most vital and most effective unions. They are at the forefront of ongoing major battles for the fundamental rights and dignity of all workers, especially on key issues such as jobs, civil rights, and worker health and safety. I am proud to have worked with them on so many of these important issues. I congratulate them on this very auspicious centennial, and I look forward to working with them in the years ahead as they begin their new century.

ADDITIONAL STATEMENTS

TRIBUTE TO DR. JAMES S. SEIDEL

● Mr. INOUYE. Mr. President, the children of the United States lost a great champion on July 25 when Dr. James. S. Seidel died at the age of 60. Dr. Seidel was a professor of pediatrics at the University of California at Los Angeles School of Medicine and was chief of the Division of General and Emergency Pediatrics at Harbor-UCLA Medical Center.

He was an excellent teacher and researcher, but he was also a tenacious advocate for children. Through his students, residents, and fellows, he leaves behind a legacy of energetic inquiry and dedicated service to children and their families. Through his advocacy work, he leaves behind a much improved system of care, particularly emergency care, for children. While we will all miss the man, we will continue to benefit from his work.

A major concern of Dr. Seidel, and a concern I share, was the challenge our Emergency Medical Services system faces in appropriately caring for the emergency needs of children. The system responds well to adult needs but is not always so successful in meeting the needs of children. He was a driving force behind the Emergency Departments Approved for Pediatrics, EDAP, system in California, but he also recognized that a national problem such as this required national support if it was to be solved. Along with my good friend, Dr. Calvin Sia, and a small group of pediatric emergency care advocates, Dr. Seidel worked with Senators HATCH, Weiker, and myself to help us enact in 1984 the Emergency Medical Services for Children, EMSC, program. This modest program has made a tremendous difference in the lives of many children and their families in every State and Territory. Dr. Seidel was a driving force in shaping the direction of the EMSC program, and was one of the program's first grantees. He maintained his interest and advocacy as the program matured. There is almost nothing in EMSC that was not influenced by Dr. Seidel. Dr. Sia received the first National Heroes Award for Lifetime Achievement in emergency medical services for children. In 2000, Dr. Seidel received the second. It was an honor well deserved.

In 1991, Dr. Seidel edited Emergency Medical Services for Children: A Report to the Nation. He asked me to write the Foreword. In it, I said, ''History has repeatedly shown that persistence is most often the key to success. We must persist in our advocacy for those most vulnerable children of all: the ill and the injured.'' Dr. Seidel's life is a testimony as to how persistence will lead to success. We still have a long way to go, but we are much further down the road thanks to remarkable people such as James S. Seidel.●

TRIBUTE TO DOUGLAS D. FARIS

● Mr. SARBANES. Mr. President, I pay tribute today to a dedicated and respected steward of our National Park system, Douglas D. Faris, superintendent of the C & O Canal National Historical Park. Doug is retiring after a long and distinguished career in the National Park Service and I thank him for his outstanding achievements in managing and protecting the C & O Canal and other units of our National Park system over the past three decades.

Throughout his career in public service, Doug Faris has distinguished himself as a leader in natural and cultural resource planning, management and conservation. Beginning as a seasonal employee at Yellowstone National Park in 1970, Doug quickly advanced to top planning positions at the Park Service's Denver Service Center, the Lowell, MA, field office, and the Southwest Regional office, where he made substantial contributions to developing new park units, improving park facilities, and protecting park resources. In 1989, he was selected as Associate Regional Director of the Southwest Region and worked for 6 years building partnerships with Native American leaders and other organizations, developing highly professional work forces, supervising special resource studies, and working with the Congress.

I came to know Doug shortly after he was appointed Superintendent of the C & O Canal National Historical Park in 1994 and, over the past 9 years, have had the opportunity and privilege to work closely with him on a number of initiatives. I saw first hand the tremendous leadership he provided in repairing and reopening the Park after two floods completely destroyed portions of the Canal and many historic structures, picnic areas, and other park facilities during the winter of 1995–1996. Doug worked tirelessly to develop a strategic plan for restoring the park and to mobilize and coordinate the work of hundreds of volunteers and organizations that came to the aid of the Park. Thanks to his efforts, more than $25 million in public and private funds were raised to repair the damages and reopen the park. Likewise, Doug spearheaded efforts to re-water the Canal at its Cumberland, MD, terminus, stabilize the historic Monocacy Aqueduct, and construct new visitor facilities. Under his leadership, new partnerships were formed with organizations and communities along the Canal, an Historic Leasing Program was implemented to help repair and protect the historic lockhouses and other dwellings in the Park; and many improvements have been made to the C & O Canal.

The efforts of Doug Faris throughout his career in the National Park Service have had a lasting effect not only on the parks and National Park system he has worked to protect, but on the people with whom he has come in contact. He has earned the respect and admiration of his colleagues in the Park Service as well as the visitors and citizens in the local communities surrounding the parks. It is my firm conviction that public service is one of the most honorable callings, one that demands the very best, most dedicated efforts of those who have the opportunity to serve their fellow citizens and country. Throughout his career, Doug has exemplified a steadfast commitment to meeting this demand. I want to extend my personal congratulations and thanks for his many years of hard work and dedication to the principal conservation mission of the National Park Service and join with his friends and coworkers in wishing him and his family well in the years ahead.●

TRIBUTE TO THE HONORABLE ANTHONY SBONA

● Mr. DODD. Mr. President, I rise to speak in memory of a distinguished

public servant and a good friend, the Honorable Anthony ''Buddy'' Sbona, of Middletown, CT, who passed away on August 4, at the age of 73.

Buddy Sbona served three terms as the mayor of Middletown from 1970 to 1975, and to this day, he remains one of the most popular public figures that city has ever seen. During his term as mayor, Buddy Sbona established Middletown's largest industrial park in the Westfield area. He also established the first full-time attorney's office in the city. From 1958 to 1961, Buddy Sbona served three terms on Middletown's Common Council, and after he left the mayor's office, he spent the next 20 years as Middletown's Town Clerk.

Buddy Sbona was a Republican mayor in a mostly Democratic town. But his appeal transcended party lines. Throughout his career, he was respected and admired by Democrats and Republicans alike—not merely as an elected official, but as a good, honest, and decent human being. His warm and outgoing personality and his enduring friendship were legendary. Even if you didn't always agree with Buddy Sbona's views, it was virtually impossible not to like him.

At 5 foot 5, you might think that Buddy Sbona could walk through City Hall practically unnoticed. But his booming voice, and his tremendous enthusiasm, announced to anyone within earshot that Buddy was in the building, ready to work hard on behalf of the people of Middletown.

Those who worked with Buddy Sbona remember him as a man with real passion for his work, a man who would come to the office each day excited to serve his constituents. That infectious attitude was an inspiration to his staff members, some of whom went on to hold public office themselves. During his later years, and even after he left office, he was an invaluable mentor to newcomers to public service, sharing with them his immense wealth of knowledge about Middletown's history, its politics, and its government.

Outside of the office, Buddy Sbona was a devoted family man who could often be spotted at his son's high school football games at Palmer Field. He was also an active member of St. Sebastian's Church and was the chairman of the Feast of St. Sebastian Committee for a decade.

It is a testimony to how hard Buddy Sbona worked, and how many lives he touched, that on Friday, August 8, all nonemergency city workers in Middletown were given the morning off to attend his funeral. Nearly 30 years after he left the mayor's office, the city of Middletown shut itself down to pay its respects to Buddy Sbona.

I offer my deepest condolences to the people of Middletown, to Buddy's wife Connie, to their sons William and Mark, to the entire Sbona family, and to the countless others whose lives were enriched by Buddy Sbona.●

HONORING STAFF SERGEANT MARK LAWTON

● Mr. ALLARD. Mr. President, I rise today to honor one of our fallen heroes of my State and this great Nation. SSG Mark A. Lawton was killed in action while serving our country in support of Operation Iraqi Freedom.

Sergeant Lawton served honorably with the 244th Engineer Battalion, U.S. Army Reserve of Grand Junction, CO. He was one of the many citizens soldiers who took up the charge and left family and career when asked to defend the principles of freedom and democracy. Like all reservists and National Guard members, he balanced his responsibilities to his country with those to all that cared for and depended on him.

Staff Sergeant Lawton's unit was activated in February and are responsible for constructing roads and bridges, improving irrigation and building playgrounds for the children of Iraq. The 244th is creating a better place for Iraqis, and Sergeant Lawton helped raise the quality of life. Colorado is proud of the actions of Sergeant Lawton, the 244th and all of our servicemen and women serving during this operation.

Staff Sergeant Lawton lived in Hayden, CO, with his wife, Sherri, and two sons, Dustin and Tanner.

Mr. President, I rise today to posthumously thank Staff Sergeant Lawton for his service and ultimate sacrifice to this great Nation and applaud him as a hero to Colorado and all of the United States.●

MESSAGE FROM THE HOUSE

At 11:55 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H.R. 6). An Act to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints for the consideration of the House bill and Senate amendment, and modifications committed to conference:

From the Committee on Energy and Commerce, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Mr. Tauzin, Mr. Bilirakis, Mr. Barton of Texas, Mr. Upton, Mr. Stearns, Mr. Gillmore, Mr. Shimkus, Mr. Dingell, Mr. Waxman, Mr. Markey, Mr. Boucher, and Mr. Rush.

From the Committee on Agriculture, for consideration of sections 30202, 30208, 30212, title III of division C, sections 30604, 30901, and 30903 of the House bill and sections 265, 301, 604, 941–948, 950, 1103, 1221, 1311–1313, and 2008 of the Senate amendment, and modifications committed to conference: Mr. Goodlatte, Mr. Lucas of Oklahoma, and Mr. Stenholm.

From the Committee on Armed Services, for consideration of sections 11005, 11010, 14001–14007, 14009–14015, 21805, and 21806 of the House bill and sections 301, 501–507, 509, 513, 809, 821, 914, 920, 1401, 1407–1409, 1411, 1801, and 1803 of the Senate amendment, and modifications committed to conference: Mr. Hunter, Mr. Weldon of Pennsylvania, and Mr. Skelton.

From the Committee on Education and the Workforce, for consideration of sections 11021, 12014, 14033, and 30406 of the House bill and sections 715, 774, 901, 903, 1505, and 1507 of the Senate amendment, and modifications committed to conference: Mr. McKeon, Mr. Sam Johnson of Texas, and Mr. George Miller of California.

From the Committee on Financial Services, for consideration of division G of the House bill and sections 931–940 and 950 of the Senate amendment, and modifications committed to conference: Mr. Oxley, Mr. Ney, and Ms. Waters.

From the Committee on Government Reform for consideration of sections 11002, 11005, 11006, 11010, 11011, 14025, 14033, and 22002 of the House bill and sections 263, 805, 806, 914–916, 918, 920, 1406, 1410 of the Senate amendment, and modifications committed to conference: Mr. Tom Davis of Virginia, Mr. Murphy, and Mr. Tierney.

From the Committee on the Judiciary, for consideration of sections 12008, 12401, 14014, 14026, 14027, 14028, 14033, 16012, 16045, 16084, 30101, 30210, and 30408 of the House bill and sections 206, 209, 253, 531–532, 708, 767, 783, and 1109 of the Senate amendment and modifications committed to conference: Mr. Sensenbrenner, Mr. Smith of Texas, and Mr. Conyers.

From the Committee on Resources, for consideration of sections 12005, 12007, 12011, 12101, 13001, 21501, 21521–21530, division C, and section 60009 of the House bill and sections 201, 265, 272, 301, 401–407, 602–606, 609, 612, 705, 707, 712, 721, 1234, 1351–1352, 1704, and 1811 of the Senate amendment, and modifications committed to conference: Mr. Pombo, Mrs. Cubin, and Mr. Rahall:

Provided, That Mr. Kind is appointed in lieu of Mr. Rahall for consideration of title IV of division C of the House bill, and modifications committed to conference.

From the Committee on Science, for consideration of sections 11009, 11025, 12301–12312, 14001–14007, 14009–14015, 14029, 15021–15024, 15031–15034, 15041, 15045, division B, section 30301, division E, and division F of the House bill and sections 501–507, 509, 513–516, 770–772, 807–809, 814–816, 824, 832, 1001–1022, title XI, title XII, title XIII, title XIV, sections 1502, 1504–1505, title XVI, and sections 1801–1805 of the Senate amendment, and modifications committed to conference: Mr. Boehlert, Mrs. Biggert, and Mr. Hall of Texas.

Provided, That Mr. Costello is appointed in lieu of Mr. Hall of Texas for consideration of division E of the House bill, and modifications committed to conference:

Provided further, That Mr. Lampson is appointed in lieu of Mr. Hall of Texas for consideration of section 21708 and division F of the House bill, and sections 824 and 1223 of the Senate amendment and modifications committed to conference.

From the Committee on Transportation and Infrastructure, for consideration of sections 11001–11004, 11006, 11009–11011, 12001–12012, 12014, 12401, 12403, 13001, 13201, 13202, 15021–15024, 15031–15034, 15041, 15043, 15051, 16012, 16021, 16022, 16023, 16031, 16081, 16082, 16092, 23001–23004, 30407, 30410, and 30901 of the House bill and sections 102, 201, 205, 301, 701–783, 812, 814, 816, 823, 911–916, 918–920, 949, 1214, 1261–1262, and 1351–1352 of the Senate amendment, and modifications committed to conference: Mr. Young of Alaska, Mr. Petri, and Mr. Oberstar.

From the Committee on Ways and Means, for consideration of division D of the House

bill and divisions H and I of the Senate amendment, and modifications committed to conference: Mr. Thomas, Mr. McCrey, and Mr. Rangel.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–3818. A communication from the Director, Information Security Oversight Office, transmitting, the Office's report for 2002; to the Committee on Governmental Affairs.

EC–3819. A communication from the President of the District of Columbia Board of Education, transmitting, pursuant to law, a report relative to the Fiscal Year 2004 Budget Support Act; to the Committee on Governmental Affairs.

EC–3820. A communication from the Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of the Office of Inspector General for the period ending March 31, 2002; to the Committee on Governmental Affairs.

EC–3821. A communication from the Director, Bureau of the Census, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Automated Export System Mandatory Filing for Items on the Commerce Control List and the United States Munitions List that Currently Require a Shipper's Export Declaration'' (RIN0607–AA34) received on August 22, 2003; to the Committee on Governmental Affairs.

EC–3822. A communication from the Director, Bureau of the Census, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Age Search Procedures'' (0607–AA24) received on August 22; to the Committee on Governmental Affairs.

EC–3823. A communication from the Administrator, Agency for International Development, transmitting, pursuant to law, the report of the Office of Inspector General for the period ending March 31, 2003; to the Committee on Governmental Affairs.

EC–3824. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the report of the Office of Inspector General for the period ending March 31, 2003; to the Committee on Governmental Affairs.

EC–3825. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Weighted Average Interest Rate Update Notice'' (Notice 2003–58) received on August 11, 2003; to the Committee on Finance.

EC–3826. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Modification of Notice 2003–36 (Simplified Service Cost and Simplified Production Methods)'' (Notice 2003–59) received on August 11, 2003; to the Committee on Finance.

EC–3827. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''BLS–LIFO Department Store Price Indexes for June 2003'' (Rev. Rul. 2003–100) received on August 11, 2003; to the Committee on Finance.

EC–3828. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—September 2003'' (Rev. Rul. 2003–101) received on August 11, 2003; to the Committee on Finance.

EC–3829. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—September 2003'' (Rev. Rul. 2003–101) received on August 11, 2003; to the Committee on Finance.

EC–3830. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''TD: User Fees for Processing Offers to Compromise'' (TD9086) received on August 11, 2003; to the Committee on Finance.

EC–3831. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''July-September 2003 Bond Factor Amounts'' (Rev. Rul. 2003–93) received on August 11, 2003; to the Committee on Finance.

EC–3832. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Offers in Compromise'' (Rev. Proc. 2003–71) received on August 11, 2003; to the Committee on Finance.

EC–3833. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Exclusions from Gross Income of Foreign Corporations'' (RIN1547–BA07) received on August 11, 2003; to the Committee on Finance.

EC–3834. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Compensatory Stock Options Under Section 482'' (RIN1545–BA57) received on August 11, 2003; to the Committee on Finance.

EC–3835. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''2003 National Pool'' (Rev. Proc. 2003–67) received on August 11, 2003; to the Committee on Finance.

EC–3836. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Modification of Rev. Proc. 2003–44'' (Rev. Proc. 2003–72) received on August 11, 2003; to the Committee on Finance.

EC–3837. A communication from the Chairman, International Trade Commission, transmitting, Commission's report on the operation of the United States trade agreements program; to the Committee on Finance.

EC–3838. A communication from the Secretary of the Treasury, transmitting, a report relative to the Federal Hospital Insurance Fund; to the Committee on Finance.

EC–3839. A communication from the Regulations Coordinator, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program—Electronic Submission of Cost Report'' (RIN0938–AL51) received on August 26, 2003; to the Committee on Finance.

EC–3840. A communication from the Regulations Coordinator, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Electronic Submission of Medicare Claims'' (RIN0938–AM22) received on August 26, 2003; to the Committee on Finance.

EC–3841. A communication from the Regulations Coordinator, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Modifications to Managed Care Rules'' (RIN0938–AK71) received on August 26, 2003; to the Committee on Finance.

EC–3842. A communication from the Senior Attorney, Financial Management Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Federal Government Participation in the Automated Clearing House'' (RIN1510–AA93) received on August 22, 2003; to the Committee on Finance.

EC–3843. A communication from the Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Collection of Supplemental Security Income Overpayments from Special Benefits for Certain World War II Veterans'' (RIN0930–AF53) received on August 11, 2003; to the Committee on Finance.

EC–3844. A communication from the Chief, Regulations Branch, Bureau of Customs and Border Protection, transmitting, pursuant to law, the report of a rule entitled ''Tonnage Duties-Revised Amounts'' (RIN1515–AD35) received on August 11, 2003; to the Committee on Finance.

EC–3845. A communication from the Chief, Regulations Branch, Bureau of Customs and Border Protection, transmitting, pursuant to law, the report of a rule entitled ''Changes to Customs and Border Protection's List of Designated Public International Organizations'' (CBP Decision 03–21) received on August 11, 2003; to the Committee on Finance.

EC–3846. A communication from the Chief, Regulations Branch, Bureau of Customs and Border Protection, transmitting, pursuant to law, the report of a rule entitled ''Manufacturing Substitution Drawback; Duty Appointment'' (RIN1515–AD02) received on August 11, 2003; to the Committee on Finance.

EC–3847. A communication from the Vice President of the United States, transmitting, pursuant to law, relative to the emigration laws and policies of Armenia, Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikstan, Turkmenistan, Ukraine, and Uzbekistan; to the Committee on Finance.

EC–3848. A communication from the Vice President of the United States, transmitting, the report of a waiver relative to the Act of Turkmenistan; to the Committee on Finance.

EC–3849. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Waterloo, IA'' (RIN2120–AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3850. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Webster City, IA'' (RIN2120–AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3851. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; West Union, IA'' (RIN2120–AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3852. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; West Union, IA'' (RIN2120–AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3853. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''IFR Altitudes; Miscellaneous Amendments (11), Amdt. no. 443'' (RIN2120–AA63) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3854. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''IFR Altitudes; Miscellaneous Amendments (24); Amendment

No. 442'' (RIN2120–AA63) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3855. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E5 Airspace; Tuscaloosa, AL; CORRECTION'' (RIN2120–AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3856. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: BAE Systems Limited Model 4101 Airplanes'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3857. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Rolls Royce RB211 Series Turbofan Engines'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3858. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directive: CORRECTION Boeing Model 737 200, 200C, 300, 400, and 500 Series Airplanes'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3859. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Aeropatiale Model ATR 42 Series Airplanes; and Model ATR72 Series Airplanes'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3860. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Aerospatiale Model ATR72 Series Airplanes'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3861. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 767 Series Airplanes'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3862. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bombardier Model C1 600 2N19 Airplanes'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3863. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bombardier Model DHC 8 102, 103, 106, 201, 202, 311, and 315 Airplanes'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3864. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 767–200 and 300 Series Airplanes'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3865. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness: Eurocopter France Model SA–365N2, AS 365N3, SA 366G1, AS355F, F1, F2, N, and EC130 Helicopters'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3866. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Rolls Royce plc RB211–524G2, 524G2T, 524G3, 524G3T, 524H, 524H–t, 524H2, and 524H2t Series, and models RB211, Trent 768–60, 773–60, and 772B 60 Turbofan Engines'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3867. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McCauley Propeller System, Inc., Propeller Hub Models B5JFR36C1101, C5FR36C1, C5JFR36C1102, B5JFR36C1103, and C5JFR36C1104'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3868. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 767–200, 300, 300F Series Airplanes'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3869. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Rolls Royce Corporation Models 250 C30R/3, C30R/3M, C47B, and C47M Turboshaft Engines'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3870. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Pilatus Aircraft Ltd Models PC 12 and PC 12/45 Airplanes'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3871. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Empresa Brasileira de Aeronautica SA Model EMB 135 and 145 Series Airplanes'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3872. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747–100, 100B SUD, 200F, 200C, 300, 400, 400D, 400F, and 747 SR Series Airplanes'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3873. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Lockheed Model 382G Series Airplanes'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3874. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Sikorsky Aircraft Corp Models S76A, B, and C Helicopters'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3875. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Eurocopter France Model SA 330F, G, and J, AS332C, L, and l1, SA 341G, SA342J, AS350B, BA, B1, B2, B#, and D; AS335E, F, F1, F2, and N, SA 3655C, C1, C2, SA365NB, and N1, and AS365N2, and N3 Helicopters'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3876. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Aerospace Technologies of Austrailia Pty Ltd Models N22B and N24A Airplanes'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3877. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Lockheed Martin Models L–1011 Airplanes and Rolls Royce plc RB211 Series Turbofan Engines'' (RIN2120–AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3878. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: DOD Commercial Air Carrier Evaluators; Request for Comments'' (RIN2120–AI00) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3879. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Revision of Public Aircraft Definition ; Technical Amendment'' (RIN2120–ZZ42) received on August 26, 2003 ; to the Committee on Commerce, Science, and Transportation.

EC–3880. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Digital Data Recorder Requirements—Changes to Recording Specifications and Additional Exceptions'' (RIN2120–AH81) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3881. A communication from the Program Analyst, Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled ''Flightdeck Security on Large Cargo Airplanes; Request for Comments'' (RIN2120–AH96) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3882. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna; General Category Closure'' (ID112801A) received on August 11, 2003; to the Committee on Commerce, Science, and Transportation .

EC–3883. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''NMFS is prohibiting retention of northern rockfish in the Bering Sea subarea of the Bering Sea and Aleutian Islands management area. NMFS is requiring that catch of northern rockfish in this area be treated in the same manner as prohibited species and discarded at sea with a minimum of injury. This action is necessary because the amount of the 2002 total allowable catch (TAC) of northern rockfish in this area has been achieved'' received on August 11, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3884. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Closure of the Commercial Fisher for Red Snapper in the EEZ of the Gulf of Mexico'' received on August 11, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3885. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Closure. Prohibition of Retention of Other Rockfish in the Central Regulatory Area of the Gulf of Alaska'' (ID080103A) received on August 11, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3886. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Closure: Prohibition of Retention of Shortaker/Rougheye Rockfish in the Central Regulatory Area of the Gulf of Alaska'' (ID080103B) received on August 11, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3887. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Closure of Directed Fishing for Species in the Rock Sole/Flathead Sole ''Other Flatfish'' Fishery Category by Vessels Using Trawl Gear in the BSAI Management Area'' received on August 11, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3888. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Closure; Prohibiting Directed Fishing for Greenland Turbot in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area (BSAI)'' (RIN0679) received on August 11, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3889. A communication from the Deputy Assistant Administrator for Operations, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Northeast Multispecies Fishery: Interim Final Rule'' (RIN0648–AP78) received on August 11, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3890. A communication from the Deputy Assistant Administrator for Operations, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Final Rule for Recreational Fisheries for Summer Flounder, Scup, and Black Sea Bass'' (RIN0648–AQ32) received on August 11, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3891. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''NMFS is closing directed fishing for yellowfin sole by vessels using trawl gear in the Bering Sea and Aleutian Islands Management Area (BSAI). This action is necessary to prevent exceeding the first seasonal apportionment of the 2002 Pacific halibut bycatch allowance specified for the yellowfin sole fishery category'' received on August 11, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3892. A communication from the Attorney Advisor, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, the report of a vacancy for the position of Deputy Secretary, Department of Transportation, received on September 2, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3893. A communication from the Deputy Assistant Administrator for Ocean Services and Coastal Zone Management, National Ocean Service, Center for Sponsored Coastal Ocean Research Coastal Ocean Program, transmitting, pursuant to law, the report of a rule entitled ''Coastal Ocean Program Supplemental Notice of Funds Availability for the Northern Gulf of Mexico Program FY03'' (RIN0648–ZB78) received on September 2, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3894. A communication from the Attorney, Research and Special Programs Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Requirements for Cargo Tanks; Response to Appeals'' (RIN2137–AC90) received on September 2, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3895. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Railroad Locomotive Safety Standards: Clarifying Amendments; Headlights and Auxiliary Lights'' (RIN2130–AB58) received on September 2, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3896. A communication from the Senior Regulations Analyst, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Oversales Signs'' (RIN2105–AC45) received on September 2, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3897. A communication from the Acting Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations (Including 3 Regulations): [CGD09–03–265], [CGD05–03–122], [13–03–029]'' (RIN1625–AA00) received on September 2, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3898. A communication from the Acting Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations: [COTP Tampa 02–053] Tampa Bay, Port of Tampa, Port of Saint Petersburg, Port Manatee, Rattlesnake, Old Port Tampa, and Crystal River, Florida'' (RIN1625–AA00) received on September 2, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3899. A communication from the Acting Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled ''Regatta and Marine Parade Regulation; Special Local Reg.: Hampton River, Hampton, VA'' (RIN1625–AA00) received on September 2, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3900. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, transmitting, pursuant to law, the report of a rule entitled ''Safety Security Zone Regulations: (Including 72 Regulations)'' (RIN1625–AA00) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3901. A communication from the Assistant Chief Counsel for Regulations, Office of the Chief Counsel, Transportation Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Transportation Security Administration Transition to Department of Homeland Security; Technical Amendments Reflecting Organizational Changes'' received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3902. A communication from the Attorney Advisor, Department of Transportation, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary for Governmental Affairs, received on September 2, 2003 ; to the Committee on Commerce, Science, and Transportation.

EC–3903. A communication from the Acting Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Conformance with Federal Acquisition Circular (FAC) 201–14 and Miscellaneous'' (RIN2700–AC72) received on September 2, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3904. A communication from the Acting Assistant Administrator, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''NOAA Office of Ocean Exploration Announcement of Funding Opportunity, Fiscal Year 2004'' received on September 2, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3905. A communication from the Assistant Division Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Numbering Resource Organization; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Telephone Number Portability'' (FCC03–126) received on August 11. 2003; to the Committee on Commerce, Science, and Transportation.

EC–3906. A communication from the Secretary of Transportation , transmitting, pursuant to law, a report relative to using law enforcement officers for conducting post-accident alcohol testing of commercial motor vehicle operators; to the Committee on Commerce, Science, and Transportation.

EC–3907. A communication from the Attorney Advisor, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Garmin International, Inc.'' (FCC03–26) received on August 11, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3908. A communication from the Attorney Advisor, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 1.937 of the Commission's Rules Concerning Repetitious or Conflicting Applications'' (FCC03–79) received on August 11, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3909. A communication from the Senior Legal Advisor, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Implementation of Section 304 of the Telecommunications Act of 1996; Commercial Availability of Navigation Devices'' (FCC03–89) received on August 11, 2003; to the Committee on Commerce, Science, and Transportation.

EC–3910. A communication from the Acting General Counsel, Office of General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Standardization of Generator Interconnection Agreements and Procedures'' (Doc. No. RM02–1–000) received on August 11, 2003; to the Committee on Energy and Natural Resources.

EC–3911. A communication from the General Counsel, Office of the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revised Public Utility Filing Requirements, Final Rule, Order No.

2001'' (Doc. No. RM01–8–000) received on September 2, 2003; to the Committee on Energy and Natural Resources.

EC–3912. A communication from the General Counsel, Office of the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Standards for Business Practices of Interstate Natural Gas Pipelines'' (Doc. No. RM96–1–020) received on September 2, 2003; to the Committee on Energy and Natural Resources.

EC–3913. A communication from the Director of Human Resources , Department of Energy, transmitting, pursuant to law, the report of a nomination for the position of Deputy Administrator, Defense Nuclear Nonproliferation, received on September 2, 2003; to the Committee on Energy and Natural Resources.

EC–3914. A communication from the Director of Human Resources Management, Department of Energy, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Congressional and Intergovernmental Affairs received on September 2, 2003; to the Committee on Energy and Natural Resources.

EC–3915. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law , the report of a rule entitled ''Pennsylvania Regulatory Program'' (PA–142–FOR) received on August 26, 2003; to the Committee on Energy and Natural Resources.

EC–3916. A communication from the General Counsel, Office of the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Final Rule: Hydroelectric Licensing Under the Federal Power Act'' (RM02–16–000) received on August 11, 2003; to the Committee on Energy and Natural Resources.

EC–3917. A communication from the Assistant Secretary for Fish and Wildlife, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants: Final Rule to Establish Thirteen Additional Manatee Protection Areas in Florida'' (RIN1018–AJ06) received on August 11, 2003; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 1584. An original bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commission, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes (Rept. No, 108–143).

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

S. 1585. An original bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2004, and for other purposes (Rept. No. 108–144).

By Mr. STEVENS, from the Committee on Appropriations:

Special Report entitled ''Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2004'' (Rept. No. 108–145).

By Ms. COLLINS, from the Committee on Governmental Affairs, with amendments:

S. 1166. A bill to establish a Department of Defense national security personnel system and for other purposes.

S. 1245. A bill to provide for homeland security grant coordination and simplification, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. BOND:

S. 1584. An original bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. GREGG:

S. 1585. An original bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. SCHUMER (for himself, Mr. BUNNING, Mrs. DOLE, Mr. DURBIN, Mr. GRAHAM of South Carolina, and Mr. BAYH):

S. 1586. A bill to authorize appropriate action if the negotiations with the People's Republic of China regarding China's undervalued currency and currency manipulations are not successful; to the Committee on Finance.

By Mr. BIDEN (for himself, Mr. SPECTER, Mr. HOLLINGS, and Mr. CARPER):

S. 1587. A bill to make it a criminal act to willfully use a weapon, explosive, chemical weapon, or nuclear or radioactive material with the intent to cause death or serious bodily injury to any person while on board a passenger vessel, and for other purposes; to the Committee on the Judiciary.

By Ms. LANDRIEU:

S. 1588. A bill to authorize the National Institute of Environmental Health Sciences to develop multidisciplinary research centers regarding women's health and disease prevention and conduct and coordinate a research program on hormone disruption, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MILLER (for himself, Ms. COLLINS, Mr. INOUYE, Mr. CHAMBLISS, Mr. LEVIN, Mr. DASCHLE, Mr. NELSON of Nebraska, and Mr. WARNER):

S. Con. Res. 64. A concurrent resolution to commend members of the United States Armed Forces for their services to the United States in the liberation of Iraq, and for other purposes; considered and agreed to.

By Mr. MILLER (for himself, Ms. COLLINS, Mr. INOUYE, Mr. CHAMBLISS, and Mr. WARNER):

S. Con. Res. 65. A concurrent resolution to commend the Third Infantry Division (Mechanized) of the United States Army for its role in the liberation of Iraq; considered and agreed to.

ADDITIONAL COSPONSORS

S. 392

At the request of Mr. REID, the names of the Senator from Texas (Mr. CORNYN) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 392, a bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability.

S. 423

At the request of Ms. COLLINS, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 423, a bill to promote health care coverage parity for individuals participating in legal recreational activities or legal transportation activities.

S. 514

At the request of Mr. BUNNING, the names of the Senator from Nevada (Mr. ENSIGN) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 514, a bill to amend the Internal Revenue Code of 1986 to repeal the 1993 income tax increase on Social Security benefits.

S. 586

At the request of Mr. CORZINE, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 586, a bill to provide additional funding for the second round of empowerment zones and enterprise communities.

S. 623

At the request of Mr. WARNER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 623, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 818

At the request of Ms. SNOWE, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 818, a bill to ensure the independence and nonpartisan operation of the Office of Advocacy of the Small Business Administration.

S. 894

At the request of Mr. WARNER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 894, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 230th Anniversary of the United States Marine Corps, and to support construction of the Marine Corps Heritage Center.

S. 896

At the request of Mrs. MURRAY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 896, a bill to establish a public education and awareness program relating to emergency contraception.

S. 976

At the request of Mr. WARNER, the name of the Senator from Colorado (Mr. CAMPBELL) was added as a cosponsor of S. 976, a bill to provide for the issuance of a coin to commemorate the 400th anniversary of the Jamestown settlement.

S. 1046

At the request of Ms. MIKULSKI, her name was added as a cosponsor of S. 1046, a bill to amend the Communications Act of 1934 to preserve localism, to foster and promote the diversity of television programming, to foster and promote competition, and to prevent excessive concentration of ownership of the nation's television broadcast stations.

S. 1159

At the request of Mr. BINGAMAN, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 1159, a bill to provide for programs and activities to improve the health of Hispanic individuals, and for other purposes.

S. 1177

At the request of Mrs. DOLE, her name was added as a cosponsor of S. 1177, a bill to ensure the collection of all cigarette taxes, and for other purposes.

S. 1210

At the request of Mr. JEFFORDS, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1210, a bill to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries.

S. 1245

At the request of Ms. COLLINS, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Alabama (Mr. SHELBY) were added as cosponsors of S. 1245, a bill to provide for homeland security grant coordination and simplification, and for other purposes.

S. 1303

At the request of Mr. BROWNBACK, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 1303, a bill to amend title XVIII of the Social Security Act and otherwise revise the Medicare Program to reform the method of paying for covered drugs, drug administration services, and chemotherapy support services.

S. 1465

At the request of Mr. FRIST, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1465, a bill to authorize the President to award a gold medal on behalf of Congress honoring Wilma G. Rudolph, in recognition of her enduring contributions to humanity and women's athletics in the United States and the world.

S. 1519

At the request of Mr. BINGAMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1519, a bill to amend title XIX of the Social Security Act to extend medicare cost-sharing for qualifying individuals through 2004.

S. 1570

At the request of Mr. SANTORUM, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1570, a bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance, and to establish State health insurance safety-net programs.

S. RES. 210

At the request of Mr. HATCH, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. Res. 210, a resolution expressing the sense of the Senate that supporting a balance between work and personal life is in the best interest of national worker productivity, and that the President should issue a proclamation designating October of 2003 as ''National Work and Family Month''.

S. RES. 212

At the request of Mr. BROWNBACK, his name was withdrawn as a cosponsor of S. Res. 212, a resolution welcoming His Holiness the Fourteenth Dalai Lama and recognizing his commitment to non-violence, human rights, freedom, and democracy.

S. RES. 217

At the request of Mr. CONRAD, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. Res. 217, a resolution expressing the sense of the Senate regarding the goals of the United States in the Doha Round of the World Trade Organization agriculture negotiations.

AMENDMENT NO. 1571

At the request of Mr. DEWINE, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of amendment No. 1571 intended to be proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1572

At the request of Mr. DODD, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of amendment No. 1572 proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1575

At the request of Mrs. CLINTON, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of amendment No. 1575 proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1575

At the request of Mr. LEVIN, his name was added as a cosponsor of amendment No. 1575 proposed to H.R. 2660, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BIDEN (for himself, Mr. SPECTER, Mr. HOLLINGS, and Mr. CARPER):

S. 1587. A bill to make it a criminal act to willfully use a weapon, explosive, chemical weapon, or nuclear or radioactive material with the intent to cause death or serious bodily injury to any person while on board a passenger vessel, and for other purposes; to the Committee on the Judiciary.

Mr. BIDEN. Mr. President, I rise today to introduce, along with my colleague Senator SPECTER, the ''Reducing Crime and Terrorism at America's Seaports Act of 2003.'' About a year ago, the Independent Task Force on Homeland Security Imperatives, co-chaired by former Senators Gary Hart and Warren Rudman and sponsored by the Council on Foreign Relations, released its report in which it concluded that ''America remains dangerously unprepared to prevent and respond to a catastrophic attack on U.S. soil.'' The report received considerable media fanfare and inspired eloquent proclamations about the need to strengthen America's domestic security agenda—but sadly, in the ensuing months, we have done little to protect one of the key vulnerabilities identified by the task force, this nation's seaports.

The 361 seaports in the United States serve essential national interests by facilitating the flow of trade and the movement of cruise passengers, as well as supporting the effective and safe deployment of U.S. Armed Forces. Yet, our attention to the security needs of seaport facilities and other marine areas, which cover some 3.5 million square miles of ocean area and 95,000 miles of coastline, has been inadequate—especially when you consider the sheer volume of traffic that moves through our seaports and along our waterways each year.

Annually, U.S. seaports handle more than 141 million ferry and cruise ship passengers and unfathomable amounts of waterborne commerce, more than 2 billion tons of domestic and international freight and 3 billion tons of oil. Each year, millions of truck-size cargo containers are off-loaded onto U.S. docks—yet, as the Hart-Rudman Report noted, ''only the tiniest percentage of [these] containers . . . are subject to examination—and a weapon of mass destruction could well be hidden among this cargo.'' Indeed, only about 2 percent of the nearly 6 million cargo containers that pass through the U.S. are inspected each year—and, according to some expert reports, only 30 percent of that cargo contains material that matches the cargo manifest.

The 2002 Hart-Rudman Report was both timely and important in that it shed new light on these glaring vulnerabilities and, in the process, reenergized the debate surrounding America's national security needs. However, the report's findings were hardly new. Two years earlier, the

Interagency Commission on Crime and Security at U.S. Seaports, a blue-ribbon government panel, had similarly noted that seaports and the ''maritime mode'' were especially vulnerable and that they did ''not exhibit a substantial security or anti-terrorism profile, particularly when compared with the emphasis commercial aviation places on these activities.'' The Interagency Commission concluded that ''terrorism, serious crime and inadequate cargo control are the most obvious threat vectors in seaports today.''

With that in mind, last Congress, Senator SPECTER and I introduced legislation designed to update Federal law to address critical security issues at U.S. seaports. We have re-tooled and re-focused that legislation, making important improvements and taking account of recent changes in the law. Today, we re-introduce the ''Reducing Crime and Terrorism at America's Seaports Act of 2003,'' which addresses all three threats identified by the Interagency Commission—terrorism, serious crime and inadequate cargo control.

Here is a summary of some of the pressing vulnerabilities that the legislation would address directly: *First*, the Interagency Commission concluded that ''control of access to the seaport or sensitive areas within the seaports'' poses one of the greatest potential threats to port security. Such unauthorized access continues and exposes the nation's seaports, and the communities that surround them, to acts of terrorism, sabotage or theft. In response, the Biden-Specter Bill would double the maximum term of imprisonment for anyone who fraudulently gains access to a seaport or waterfront.

Second, an estimated 95 percent of the cargo shipped to the U.S. from foreign countries, other than Canada and Mexico, arrives through out seaports. Accordingly, the Interagency Commission found that this enormous flow of goods through U.S. ports provides a tempting target for terrorists and others to smuggle illicit cargo into the country, while also making ''our ports potential targets for terrorist attacks,'' In addition, the smuggling of non-dangerous, but illicit, cargo may be used to finance terrorism. Despite the gravity of the threat, we continue to operate in an environment in which terrorists and criminals can evade detection by underreporting and misreporting the content of cargo. In one review by the U.S. Customs Service, nearly 20 percent of the carrier arrivals in the sample were discrepant, i.e., carried more or fewer containers than were listed on the manifest. In an earlier review, Customs found a 53 percent discrepant rate. Even where this improperly-reported cargo is legitimate, it needlessly diverts precious resources and attention away from the job of detecting terrorists and serious criminals. To deter this problem, the Biden-Specter Bill would increase penalties for noncompliance with certain manifest reporting and record-keeping requirements, including information regarding the content of cargo containers and the country from which the shipments originated.

Third, the Coast Guard is the main Federal agency responsible for law enforcement at sea. Yet, its ability to force a vessel to stop or be boarded is limited. While the Coast Guard has the authority to use whatever force is reasonably necessary, a vessel operator's refusal to stop is not currently a crime. The Biden-Specter Bill would make it a crime for a vessel operator to fail to slow or stop a ship once ordered to do so by a federal law enforcement officer; for any person on board a vessel to impede boarding or other law enforcement action authorized by Federal law; or for any person on board a vessel to provide false information to a federal law enforcement officer.

Fourth, The Coast Guard maintains over 50,000 navigational aids on more than 25,000 miles of waterways. These aids, which are relied upon by all commercial, military and recreational mariners, are critical for safe navigation by commercial and military vessels. Accordingly, they are inviting targets for terrorists. The Biden-Specter Bill would make it a crime to endanger the safe navigation of a ship by damaging any maritime navigational aid maintained by the Coast Guard; place in the waters anything which is likely to damage a vessel or its cargo, interfere with a vessel's safe navigation, or interfere with maritime commerce; or dump a hazardous substance into U.S. waters, with the intent to endanger human life or welfare.

Fifth, each year, thousands of ships, including cruise ships, whose numbers have swelled enormously over the last half century, enter and leave the U.S. through seaports, Smugglers and terrorists exploit this massive flow of maritime traffic to transport dangerous materials and dangerous people into this country. The Biden-Specter Bill would make it a crime to use a vessel to smuggle into the United States either a terrorist or any explosive or other dangerous material for use in committing a terrorist act.

Sixth, under current Federal law, it is a crime to destroy an aircraft or aircraft facilities. Incredibly, there are no equivalent Federal prohibitions in the maritime context. Given the magnitude of the threat against America's seaports, we should provide the same protection to seaports that we do for airports. The Biden-Specter Bill would make it a crime to damage or destroy any part of a ship, a maritime facility, or anything used to load or unload cargo and passengers; commit a violent assault on anyone at a maritime facility; or knowingly communicate a hoax in a way which endangers the safety of a vessel.

Seventh, according to the Interagency Commission, ''at many seaports, the carrying of firearms is not restricted, and thus internal conspirators and other criminals are allowed armed access to cargo vessels and cruise line terminals.'' Currently, Federal law prohibits carrying firearms into airports, which is a sensible step to protect against possible terrorist attacks or other criminal activity. We should provide the same protections currently afforded to airports to our seaports and passenger vessels. The Biden-Specter Bill would prohibit the carrying of a dangerous weapon, including a firearm or explosive, at a seaport or on board a vessel.

Eighth, as a consequence of the vast amount of waterborne commerce, cargo theft has become a major problem. Yet, there is no national data collection and reporting system that captures the magnitude of serious crime at seaports. Given the importance of free-flowing commerce to our nation's economy and the reported trafficking and sale of contraband to fiance terrorist activity, it is especially important that we work to assess and correct the problem. The Biden-Specter Bill would require the reporting of cargo theft offenses. It would also instruct the Attorney General to create a database containing the reported information, which would be made available to appropriate governmental officials while respecting important privacy protections. Importantly, organizations like the American Institute of Marine Underwriters and the Inland Marine Underwriters Association have specifically expressed their strong support for this provision.

And, ninth, the Interagency Commission concluded that existing laws are not stiff enough to stop certain crimes, including cargo theft, at seaports. The Biden-Specter Bill would increase the maximum term of imprisonment for low-level thefts of interstate or foreign shipments from 1 year to 3 years and expand the statute to outlaw theft of goods from trailers, cargo containers, warehouses, and similar venues. The American Institute of Marine Underwriters and the Inland Marine Underwriters Association also have expressed strong support for this provision.

This comprehensive anti-crime and anti-terrorism legislation is the product of informal collaborations with ports, industry and labor groups, as well as interested federal agencies. As a result of the contributions by these groups, we believe that we have developed a strong, bipartisan bill that, once passed, will significantly improve federal criminal law; expand the array of tools available to investigators and prosecutors; and ensure that federal resources are appropriately invested.

We are delighted to have the support of organizations, like the American Association of Port Authorities (AAPA), with special knowledge and expertise in seaport and cargo security. In fact, the AAPA, which represents more than 150 public port authorities in the United States, Canada, the Caribbean and Latin America, has sent me a strong letter endorsing the legislation—a copy of which will appear in the record at the end of my statement.

In closing, in the aftermath of September 11th and given the ongoing and escalating terrorism perpetrated around the globe, surely we recognize that the conclusions contained in the Hart-Rudman Report were not mere hyperbole—but a clarion call for action. Needless to say, a terrorist attack against any one of this Nation's seaports would not only jeopardize human life, but could also bring the otherwise free flow of commerce to a screeching halt—exacting a heft toll on the U.S. economy, world shipping, and international trade. That impact could be both devastating and far-reaching, and that is not even considering the effect of America's military readiness which depends on quick access to certain strategic ports in order to ensure effective mobilization and deployment of U.S. Armed Forces.

Given the threat, we must undertake to do all that we reasonably can to discourage and/or frustrate such an attack. This legislation, while not a cure-all, is an important step in the right direction. I implore my colleagues to join our effort and move quickly to enact this bill into law. America will be better for it.

Mr. President, I ask unanimous consent that the text of the bill and the letter from AAPA be printed in the RECORD.

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

S. 1587

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 ''Reducing Crime and Terrorism at America's Seaports Act of 2003''.

SEC. 2. ENTRY BY FALSE PRETENSES TO ANY SEAPORT.

(a) IN GENERAL.—Section 1036 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''or'' at the end;

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following:

''(3) any secure area of any seaport; or'';

(2) in subsection (b)(1), by striking ''5'' and inserting ''10'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''and'';

(B) in paragraph (2), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(3) the term 'seaport' means any structure or facility of any kind located in, on, under, or adjacent to any waters subject to the jurisdiction of the United States.''; and

(4) in the section heading, by inserting ''or seaport'' after ''airport''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 47 of title 18 is amended by striking the matter relating to section 1036 and inserting the following:

''1036. Entry by false pretenses to any real property, vessel, or aircraft of the United States or secure area of any airport or seaport.''.

SEC. 3. CRIMINAL SANCTIONS FOR FAILURE TO HEAVE TO, OBSTRUCTION OF BOARDING, OR PROVIDING FALSE INFORMATION.

(a) OFFENSE.—Chapter 109 of title 18, United States Code, is amended by adding at the end the following:

''§ 2237. Criminal sanctions for failure to heave to, obstruction of boarding, or providing false information.

''(a)(1) It shall be unlawful for the master, operator, or person in charge of a vessel of the United States, or a vessel subject to the jurisdiction of the United States, to knowingly fail to obey an order by an authorized Federal law enforcement officer to heave to that vessel.

''(2) It shall be unlawful for any person on board a vessel of the United States, or a vessel subject to the jurisdiction of the United States, to—

''(A) forcibly assault, resist, oppose, prevent, impede, intimidate, or interfere with a boarding or other law enforcement action authorized by any Federal law, or to resist a lawful arrest; or

''(B) provide information to a Federal law enforcement officer during a boarding of a vessel regarding the vessel's destination, origin, ownership, registration, nationality, cargo, or crew, which that person knows is false.

''(b) This section does not limit the authority of a customs officer under section 581 of the Tariff Act of 1930 (19 U.S.C. 1581), or any other provision of law enforced or administered by the Customs Service, or the authority of any Federal law enforcement officer under any law of the United States, to order a vessel to stop or heave to.

''(c) A foreign nation may consent or waive objection to the enforcement of United States law by the United States under this section by radio, telephone, or similar oral or electronic means. Consent or waiver may be proven by certification of the Secretary of State or the designee of the Secretary of State.

''(d) In this section—

''(1) the term 'Federal law enforcement officer' has the meaning given the term in section 115(c);

''(2) the term 'heave to' means to cause a vessel to slow, come to a stop, or adjust its course or speed to account for the weather conditions and sea state to facilitate a law enforcement boarding;

''(3) the term 'vessel subject to the jurisdiction of the United States' has the meaning given the term in section 2(d) of the Maritime Drug Law Enforcement Act (46 App. U.S.C. 1903(c)); and

''(4) the term 'vessel of the United States' has the meaning given the term in section 2(c) of the Maritime Drug Law Enforcement Act (46 App. U.S.C. 1903(b)).

''(e) Any person who intentionally violates the provisions of this section shall be fined under this title, imprisoned for not more than 5 years, or both.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 109, title 18, United States Code, is amended by inserting after the item for section 2236 the following:

''2237. Criminal sanctions for failure to heave to, obstruction of boarding, or providing false information.''.

SEC. 4. USE OF A DANGEROUS WEAPON OR EXPLOSIVE ON A PASSENGER VESSEL.

Section 1993 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting '', passenger vessel,'' after ''transportation vehicle'';

(B) in paragraphs (2)—

(i) by inserting '', passenger vessel,'' after ''transportation vehicle''; and

(ii) by inserting ''or owner of the passenger vessel'' after ''transportation provider'' each place that term appears;

(C) in paragraph (3)—

(i) by inserting '', passenger vessel,'' after ''transportation vehicle'' each place that term appears; and

(ii) by inserting ''or owner of the passenger vessel'' after ''transportation provider'' each place that term appears;

(D) in paragraph (5)—

(i) by inserting '', passenger vessel,'' after ''transportation vehicle''; and

(ii) by inserting ''or owner of the passenger vessel'' after ''transportation provider''; and

(E) in paragraph (6), by inserting ''or owner of a passenger vessel'' after ''transportation provider'' each place that term appears;

(2) in subsection (b)(1), by inserting '', passenger vessel,'' after ''transportation vehicle''; and

(3) in subsection (c)—

(A) by redesignating paragraph (6) through (8) as paragraphs (7) through (9); and

(B) by inserting after paragraph (5) the following:

''(6) the term ''passenger vessel'' has the meaning given that term in sections 2101(22) and 2102 of title 46, United States Code.''.

SEC. 5. CRIMINAL SANCTIONS FOR VIOLENCE AGAINST MARITIME NAVIGATION, PLACEMENT OF DESTRUCTIVE DEVICES, AND MALICIOUS DUMPING.

(a) VIOLENCE AGAINST MARITIME NAVIGATION.—Section 2280(a) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (H), by striking ''(G)'' and inserting ''(H)'';

(B) by redesignating subparagraphs (F), (G), and (H) as subparagraphs (G), (H), and (I), respectively; and

(C) by inserting after subparagraph (E) the following:

''(F) destroys, damages, alters, moves, or tampers with any aid to maritime navigation maintained by the Saint Lawrence Seaway Development Corporation under the authority of section 4 of the Act of May 13, 1954 (33 U.S.C. 984), by the Coast Guard pursuant to section 81 of title 14, United States Code, or lawfully maintained under authority granted by the Coast Guard pursuant to section 83 of title 14, United States Code, if such act endangers or is likely to endanger the safe navigation of a ship;''; and

(2) in paragraph (2) by striking ''(C) or (E)'' and inserting ''(C), (E), or (F)''.

(b) PLACEMENT OF DESTRUCTIVE DEVICES.—

(1) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2280 the following:

''§ 2280A. Devices or substances in waters of the United States likely to destroy or damage ships or to interfere with maritime commerce

''(a) A person who knowingly places, or causes to be placed, in waters subject to the jurisdiction of the United States, by any means, a device or substance which is likely to destroy or cause damage to a vessel or its cargo, or cause interference with the safe navigation of vessels, or interference with maritime commerce, with the intent of causing such destruction or damage, or interference with the safe navigation of vessels or with maritime commerce, shall be fined under this title, imprisoned for any term of years or for life, or both; and if the death of any person results from conduct prohibited under this subsection, may be punished by death.

''(b) Nothing in this section shall be construed to apply to otherwise lawfully authorized and conducted activities of the United States Government.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 111 of title 18, United States Code, is amended by adding after the item related to section 2280 the following:

''2280A. Devices or substances in waters of the United States likely to destroy or damage ships or to interfere with maritime commerce.''.

(c) MALICIOUS DUMPING.—

(1) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding at the end the following:

''§ 2282. Knowing discharge or release

''(a) ENDANGERMENT OF HUMAN LIFE.—Any person who knowingly discharges or releases oil, a hazardous material, a noxious liquid substance, or any other substance into the navigable waters of the United States or the adjoining shoreline with the intent to endanger human life, health, or welfare shall be fined under this title and imprisoned for any term of years or for life; and if the death of any person results from conduct prohibited by this subsection, shall be punished by death or imprisoned for a term of years or for life.

''(b) ENDANGERMENT OF MARINE ENVIRONMENT.—Any person who knowingly discharges or releases oil, a hazardous material, a noxious liquid substance, or any other substance into the navigable waters of the United States or the adjacent shoreline with the intent to endanger the marine environment shall be fined under this title, imprisoned not more than 30 years, or both.

''(c) DEFINITIONS.—In this section:

''(1) DISCHARGE.—The term 'discharge' means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

''(2) HAZARDOUS MATERIAL.—The term 'hazardous material' has the meaning given the term in section 2101(14) of title 46, United States Code.

''(3) MARINE ENVIRONMENT.—The term 'marine environment' has the meaning given the term in section 2101(15) of title 46, United States Code.

''(4) NAVIGABLE WATERS.—The term 'navigable waters' has the meaning given the term in section 1362(7) of title 33, and also includes the territorial sea of the United States as described in Presidential Proclamation 5928 of December 27, 1988.

''(5) NOXIOUS LIQUID SUBSTANCE.—The term 'noxious liquid substance' has the meaning given the term in the MARPOL Protocol defined in section 2(1) of the Act to Prevent Pollution from Ships (33 U.S.C. 1901(a)(3)).

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 111 of title 18, United States Code, is amended by adding at the end the following:

''2282. Knowing discharge or release.''.

SEC. 6. TRANSPORTATION OF DANGEROUS MATERIALS AND TERRORISTS OR TERROR SUSPECTS.

(a) TRANSPORTATION OF DANGEROUS MATERIALS AND TERROR SUSPECTS.—Chapter 111 of title 18, as amended by section 5 of this Act, is amended by adding at the end the following:

''§ 2283. Transportation of explosive, biological, chemical, or radioactive or nuclear materials.

''(a) IN GENERAL.—Any person who knowingly and willfully transports aboard any vessel an explosive or incendiary device, biological agent, chemical weapon, or radioactive or nuclear material, knowing that any such item is intended to be used to commit a Federal crime of terrorism, shall be fined under this title, imprisoned for any term of years or for life, or both; and if the death of any person results from conduct prohibited by this subsection, may be punished by death.

''(b) DEFINITIONS.—In this section:

''(1) BIOLOGICAL AGENT.—The term 'biological agent' means any biological agent, toxin, or vector (as those terms are defined in section 178).

''(2) BY-PRODUCT MATERIAL.—The term 'by-product material' has the meaning given that term in section 11(e) of the Atomic Energy Act of 1954 (42 U.S.C. 2014(e)).

''(3) CHEMICAL WEAPON.—The term 'chemical weapon' has the meaning given that term in section 229F.

''(4) EXPLOSIVE OR INCENDIARY DEVICE.—The term 'explosive or incendiary device' has the meaning given the term in section 235(5).

''(5) FEDERAL CRIME OF TERRORISM.—The term 'Federal crime of terrorism' has the meaning given that term in section 2332b(g).

''(6) NUCLEAR MATERIAL.—The term 'nuclear material' has the meaning given that term in section 831(f)(1).

''(7) RADIOACTIVE MATERIAL.—The term 'radioactive material' means—

''(A) source material and special nuclear material, but does not include natural or depleted uranium;

''(B) nuclear by-product material;

''(C) material made radioactive by bombardment in an accelerator; or

''(D) all refined isotopes of radium.

''(8) SOURCE MATERIAL.—The term 'source material' has the meaning given that term in section 11(z) of the Atomic Energy Act of 1954 (42 U.S.C. 2014(z)).

''(9) SPECIAL NUCLEAR MATERIAL.—The term 'special nuclear material' has the meaning given that term in section 11(aa) of the Atomic Energy Act of 1954 (42 U.S.C. 2014(aa)).

''§ 2284. Transportation of terrorists or terror suspects.

''(a) IN GENERAL.—Any person who knowingly and willfully transports aboard any vessel any terrorist or terror suspect shall be fined under this title, imprisoned for any term of years or for life, or both.

''(b) DEFINED TERM.—In this section, the term 'terrorist or terror suspect' means any person who intends to commit, or is avoiding apprehension after having committed, a Federal crime of terrorism (as that term is defined under section 2332b(g)).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 111 of title 18, United States Code, as amended by this Act, is amended by adding at the end the following:

''2283. Transportation of explosive, chemical, biological, or radioactive or nuclear materials.

''2284. Transportation of terrorists or terror suspects.''.

SEC. 7. DESTRUCTION OR INTERFERENCE WITH VESSELS OR MARITIME FACILITIES.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 111 the following:

''CHAPTER 111A—DESTRUCTION OF, OR INTERFERENCE WITH VESSELS OR MARITIME FACILITIES

''Sec.

''2290. Jurisdiction and scope.

''2291. Destruction of vessel or maritime facility.

''2292. Penalty when death results.

''2293. Imparting or conveying false information.

''2294. Bar to prosecution.

''§2290. Jurisdiction and scope

''(a) JURISDICTION.—There is jurisdiction over an offense under this chapter if the prohibited activity takes place—

''(1) within the United States or within waters subject to the jurisdiction of the United States; or

''(2) outside United States and—

''(A) an offender or a victim is a citizen of the United States;

''(B) a citizen of the United States was on board a vessel to which this chapter applies; or

''(C) the activity involves a vessel of the United States.

''(b) SCOPE.—Nothing in this chapter shall apply to otherwise lawful activities carried out by or at the direction of the United States Government.

''§ 2291. Destruction of vessel or maritime facility

''(a) OFFENSE.—Whoever willfully—

''(1) sets fire to, damages, destroys, disables, or wrecks any vessel;

''(2) places or causes to be placed a destructive device, as defined in section 921(a)(4), or destructive substance, as defined in section 13, in, upon, or in proximity to, or otherwise makes or causes to be made unworkable or unusable or hazardous to work or use, any vessel, or any part or other materials used or intended to be used in connection with the operation of a vessel;

''(3) sets fire to, damages, destroys, or disables or places a destructive device or substance in, upon, or in proximity to, any maritime facility, including but not limited to, any aid to navigation, lock, canal, or vessel traffic service facility or equipment, or interferes by force or violence with the operation of such facility, if such action is likely to endanger the safety of any vessel in navigation;

''(4) sets fire to, damages, destroys, or disables or places a destructive device or substance in, upon, or in proximity to, any appliance, structure, property, machine, or apparatus, or any facility or other material used, or intended to be used, in connection with the operation, maintenance, loading, unloading, or storage of any vessel or any passenger or cargo carried or intended to be carried on any vessel;

''(5) performs an act of violence against or incapacitates any individual on any vessel, if such act of violence or incapacitation is likely to endanger the safety of the vessel or those on board;

''(6) performs an act of violence against a person that causes or is likely to cause serious bodily injury, as defined in section 1365, in, upon, or in proximity to, any appliance, structure, property, machine, or apparatus, or any facility or other material used, or intended to be used, in connection with the operation, maintenance, loading, unloading, or storage of any vessel or any passenger or cargo carried or intended to be carried on any vessel;

''(7) communicates information, knowing the information to be false and under circumstances in which such information may reasonably be believed, thereby endangering the safety of any vessel in navigation; or

''(8) attempts or conspires to do anything prohibited under paragraphs (1) through (7): shall be fined under this title or imprisoned not more than 20 years, or both.

''(b) PENALTY.—Whoever is fined or imprisoned under subsection (a) as a result of an act involving a vessel that, at the time of the violation, carried high-level radioactive waste (as that term is defined in section 2(12) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(12)) or spent nuclear fuel (as that term is defined in section 2(23) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(23)), shall be fined under title 18, imprisoned for a term up to life, or both.

''(c) THREATS.—Whoever willfully imparts or conveys any threat to do an act which would violate this chapter, with an apparent determination and will to carry the threat into execution, shall be fined under this

title, imprisoned not more than 5 years, or both, and is liable for all costs incurred as a result of such threat.

"§ 2292. Penalty when death results

''Whoever is convicted of any crime prohibited by this chapter, which has resulted in the death of any person, shall be subject also to the death penalty or to imprisonment for life.

"§ 2293. Imparting or conveying false information

''(a) IN GENERAL.—Whoever imparts or conveys or causes to be imparted or conveyed false information, knowing the information to be false, concerning an attempt or alleged attempt being made or to be made, to do any act which would be a crime prohibited by this chapter or chapter 2, 97, or 111 of this title, shall be subject to a civil penalty of not more than $5,000, which shall be recoverable in a civil action brought in the name of the United States.

''(b) MALICIOUS CONDUCT.—Whoever willfully and maliciously, or with reckless disregard for the safety of human life, imparts or conveys or causes to be imparted or conveyed false information, knowing the information to be false, concerning an attempt or alleged attempt to do any act which would be a crime prohibited by this chapter, or by chapter 2, 97, or 111 of this title, shall be fined under this title, imprisoned not more than 5 years, or both.

''(c) JURISDICTION.—

''(1) IN GENERAL.—Except as provided under paragraph (2), section 2290(a) shall not apply to any offense under this section.

''(2) JURISDICTION.—Jurisdiction over an offense under this section shall be determined in accordance with the provisions applicable to the crime prohibited by this chapter, or by chapter 2, 97, or 111 of this title, to which the imparted or conveyed false information relates, as applicable.

"§ 2294. Bar to prosecution

''(a) IN GENERAL.—It is a bar to prosecution under this chapter if—

''(1) the conduct in question occurred within the United States in relation to a labor dispute; and

''(2) such conduct is prohibited under the law of the State in which it was committed.

''(b) DEFINITIONS.—In this section:

''(1) LABOR DISPUTE.—The term ''labor dispute'' has the same meaning as in section 113(c) of the Norris-LaGuardia Act (29 U.S.C. 113(c)).

''(2) STATE.—The term ''State'' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters at the beginning of title 18, United States Code, is amended by inserting after the item for chapter 111 the following:

''111A. Destruction of, or interference with vessels or maritime facilities ..... 2290''.

SEC. 8. CARRYING A WEAPON OR EXPLOSIVE ON A VESSEL OR AT A SEAPORT.

(a) IN GENERAL.—Title 18, United States Code, is amended by striking section 2277 and inserting the following:

"§2277. Carrying a weapon or explosive on a vessel or at a seaport.

''(a) GENERAL CRIMINAL PENALTY.—An individual shall be fined under title 18, imprisoned for not more than 10 years, or both, if the individual—

''(1) when on, or attempting to get on a vessel, or within the area of any seaport, knowingly possesses a dangerous weapon, explosive, incendiary device, or loaded firearm on or about the property of the individual; or

''(2) has knowingly placed, attempted to place, or attempted to have placed a dangerous weapon, explosive, incendiary device, or loaded firearm on that vessel, or at that seaport.

''(b) CRIMINAL PENALTY INVOLVING DISREGARD FOR HUMAN LIFE.—An individual who willfully and without regard for the safety of human life, or with reckless disregard for the safety of human life, violates subsection (b), shall be fined under title 18, imprisoned for not more than 15 years, or both, and if death results to any person, shall be imprisoned for a term of years or for life.

''(c) NONAPPLICATION.—

''(1) IN GENERAL.—Subsection (b) of this section shall not apply to—

''(A) the personnel of the Armed Forces of the United States, or to officers or employees of the United States or of a State or of a political subdivision thereof, while acting in the performance of their duties, who are authorized by law or by rules or regulations to own or possess any such weapon or explosive;

''(B) another individual the Under Secretary for Border and Transportation Security of the Department of Homeland Security by regulation authorizes to carry a dangerous weapon on board a vessel or at a seaport; or

''(C) any person employed on a vessel who—

''(i) possesses items otherwise prohibited under subsection (b) that are used in the course of performing duties within the scope of employment of that individual;

''(ii) has obtained the permission of the owner or master of the vessel to carry such items on the vessel; and

''(iii) has obtained the permission of the captain of the seaport to carry such items at the seaport.

''(2) LAWFUL SHIPMENT OF EXPLOSIVE OR INCENDIARY DEVICE.—Subsection (b)(3) shall not apply to any person who is engaged in the lawful shipment of any explosive or incendiary device.

''(d) CONSPIRACY.—If 2 or more persons conspire to violate subsection (b) or (c), and 1 or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as provided in such subsection.

''(e) DEFINITIONS.—In this section:

''(1) DANGEROUS WEAPON.—The term 'dangerous weapon' has the meaning given that term in section 930(g)(2) of title 18;

''(2) EXPLOSIVE AND INCENDIARY DEVICE.—The terms 'explosive' and 'incendiary device' have the meanings given such terms in section 232(5) of title 18; and

''(3) LOADED FIREARM.—The term 'loaded firearm' means a starter gun or a weapon designed to expel a projectile through an explosive, that has a cartridge, a detonator, or powder in the chamber, magazine, cylinder, or clip.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 111 of title 18 is amended by striking the matter relating to section 2277 and inserting the following:

''2277. Carrying a weapon or explosive on a vessel or at a seaport.''.

SEC. 9. CARGO THEFT DATA COLLECTION.

(a) IN GENERAL.—The Attorney General shall issue regulations to—

(1) require the reporting of a cargo theft offense to the Attorney General by the carrier, facility, or cargo owner with custody of the cargo at the time of the offense, as soon as such carrier, facility, or cargo owner becomes aware of the offense, with such reports to contain information regarding the offense as specified in the regulations, including the port of entry, the port where the shipment originated, and where the theft occurred, to the extent such information is available to the reporting party;

(2) create a database to contain the reports made under paragraph (1) and integrate them, to the extent feasible, with other noncriminal justice and intelligence data, such as a bill of lading, cargo contents and value, point of origin, and lienholder filings; and

(3) prescribe procedures for access to the database created under paragraph (2) by appropriate Federal, State, and local governmental agencies, while protecting the privacy of the information in accordance with other applicable Federal laws.

(b) MODIFICATION OF DATABASES.—

(1) IN GENERAL.—United States Government agencies with significant regulatory or law enforcement responsibilities at United States ports shall, to the extent feasible, modify their information databases to ensure the collection and retrievability of data relating to crime and terrorism and related activities at or affecting United States ports.

(2) DESIGNATION OF COVERED AGENCIES.—The Attorney General, after consultation with the Secretary of the Treasury and the Secretary of Transportation, shall designate the agencies included within the requirement of paragraph (1).

(c) OUTREACH PROGRAM.—The Attorney General, in consultation with the Secretary of the Treasury, the Secretary of Transportation, the National Maritime Security Advisory Committee established under section 70112 of title 46, United States Code, and appropriate Federal and State agencies, shall establish an outreach program to—

(1) work with State and local law enforcement officials to harmonize the reporting of data on cargo theft among the States, localities and with the United States Government's reports; and

(2) work with local port security committees to disseminate cargo theft information to appropriate law enforcement officials.

(d) VIOLATION OF REGULATIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, and in addition to any penalties that may be available under any other provision of law, any person or entity who is found by the Attorney General, after notice and an opportunity for a hearing, to have violated the regulations promulgated pursuant to section 9(a)(1), shall be liable to the United States for a civil penalty, not to exceed $25,000 for each violation, except that the maximum penalty for any party's first violation shall not exceed $7,500.

(2) CONTINUING VIOLATIONS.—Each day of a continuing violation shall constitute a separate violation.

(3) NOTICE OF ASSESSMENT OF PENALTY.—The amount of such civil penalty shall be assessed by the Attorney General, or his designee, by written notice.

(4) CALCULATION OF PENALTY.—In determining the amount of such penalty, the Secretary shall take into account the nature, circumstances, extent and gravity of the prohibited acts committed and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and such other matters as justice may require.

(5) MODIFICATION OF PENALTIES.—The Attorney General may compromise, modify, or remit, with or without conditions, any civil penalty which is subject to imposition or which has been imposed under this section.

(6) ENFORCEMENT OF ASSESSMENTS.—If a person or entity fails to pay an assessment of a civil penalty after it has become final, the Attorney General may collect such assessments in any appropriate district court of the United States.

(e) ANNUAL REPORT.—The Attorney General shall submit an annual report on the implementation of this section to the Committees on the Judiciary of the Senate and the House of Representatives.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General such sums as are necessary for each of the fiscal years 2003 through 2007 to carry out the requirements of this section, such sums to remain available until expended.

SEC. 10. THEFT OF INTERSTATE OR FOREIGN SHIPMENTS OR VESSELS.

(a) THEFT OF INTERSTATE OR FOREIGN SHIPMENTS.—Section 659 of title 18, United States Code, is amended—

(1) in the first undesignated paragraph—

(A) by inserting ''trailer,'' after ''motortruck,'';

(B) by inserting ''air cargo container,'' after ''aircraft,''; and

(C) by inserting '', or from any intermodal container, trailer, container freight station, warehouse, or freight consolidation facility,'' after ''air navigation facility'';

(2) in the fifth undesignated paragraph, by striking ''one year'' and inserting ''3 years''; and

(3) by inserting after the first sentence in the eighth undesignated paragraph the following: ''For purposes of this section, goods and chattel shall be construed to be moving as an interstate or foreign shipment at all points between the point of origin and the final destination (as evidenced by the waybill or other shipping document of the shipment), regardless of any temporary stop while awaiting transhipment or otherwise.''.

(b) STOLEN VESSELS.—

(1) IN GENERAL.—Section 2311 of title 18, United States Code, is amended by adding at the end the following:

'''Vessel' means any watercraft or other contrivance used or designed for transportation or navigation on, under, or immediately above, water.''.

(2) TRANSPORTATION AND SALE OF STOLEN VESSELS.—Sections 2312 and 2313 of title 18, United States Code, are each amended by striking ''motor vehicle or aircraft'' and inserting ''motor vehicle, vessel, or aircraft''.

(c) REVIEW OF SENTENCING GUIDELINES.—Pursuant to section 994 of title 28, United States Code, the United States Sentencing Commission shall review the Federal Sentencing Guidelines to determine whether sentencing enhancement is appropriate for any offense under section 659 or 2311 of title 18, United States Code, as amended by this Act.

(d) ANNUAL REPORT OF LAW ENFORCEMENT ACTIVITIES.—The Attorney General shall annually submit to Congress a report, which shall include an evaluation of law enforcement activities relating to the investigation and prosecution of offenses under section 659 of title 18, United States Code, as amended by this Act.

(e) REPORTING OF CARGO THEFT.—The Attorney General shall take the steps necessary to ensure that reports of cargo theft collected by Federal, State, and local officials are reflected as a separate category in the Uniform Crime Reporting System, or any successor system, by no later than December 31, 2005.

SEC. 11. INCREASED PENALTIES FOR NONCOMPLIANCE WITH MANIFEST REQUIREMENTS.

(a) REPORTING, ENTRY, CLEARANCE REQUIREMENTS.—Section 436(b) of the Tariff Act of 1930 (19 U.S.C. 1436(b)) is amended by—

(1) striking ''or aircraft pilot'' and inserting '', aircraft pilot, operator, or owner of such vessel, vehicle, or aircraft,'';

(2) striking ''$5,000'' and inserting ''$10,000''; and

(3) striking ''$10,000'' and inserting ''$25,000''.

(b) CRIMINAL PENALTY.—Section 436(c) of the Tariff Act of 1930 (19 U.S.C. 1436(c)) is amended by striking ''$2,000'' and inserting ''$10,000''.

(c) FALSITY OR LACK OF MANIFEST.—Section 584(a)(1) of the Tariff Act of 1930 (19 U.S.C. 1584(a)(1)) is amended by striking ''$1,000'' in each place it occurs and inserting ''$10,000''.

AMERICAN ASSOCIATION
OF PORT AUTHORITIES,
Alexandria, VA, August 22, 2003.

Hon. JOSEPH R. BIDEN, JR.,
Subcommittee on Crime and Drugs, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR SENATOR BIDEN: I am writing on behalf of the American Association of Port Authorities (AAPA) and its U.S. members. AAPA represents the leading public port authorities in the U.S., Canada and the rest of the Western Hemisphere.

Port security is the top priority of our members, and AAPA worked closely with Congressional leaders on the passage last year of the Maritime Transportation Security Act. As you know, one portion that was left out of the final bill was the section on criminal penalties. The ''Reducing Crime and Terrorism at American's Seaports Act of 2003,'' that you plan to introduce soon, addresses the need to broaden the federal crime statute and stiffen the penalties for these crimes at seaports.

AAPA endorses this bill and encourages its strong consideration. It provides increased penalties for entry by false pretense to a port; failure to ''heave to,'' use of a dangerous weapon or explosive on a passenger vessel, criminal sanctions for violence against maritime navigation, penalties for transporting dangerous materials and terrorists; makes destruction or interference with vessels or maritime facilities a crime, limits carrying a weapon or explosive on a port, mandates cargo theft data collection, expands the law regarding theft of interstate shipments, and increases penalties for noncompliance with manifest requirements.

We commend your leadership on this critical issue and look forward to working with your staff as this bill progresses to ensure the final law works well in the maritime environment and further enhances port and maritime security.

Sincerely,

KURT NAGLE.

By Ms. LANDRIEU:

S. 1588. A bill to authorize the National Institute of Environmental Health Sciences to develop multidisciplinary research centers regarding women's health and disease prevention and conduct and coordinate a research program on hormone disruption, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. LANDRIEU. Mr. President, today I rise to introduce the Environmental Health Research Act. Science has long since shown that the environment plays an important role in an individual's health. We have made the correlation between clean drinking water and a person's well being. We know that there is a link between childhood asthma and unclean air. Through scientific research we have been able to shed light on these findings, and as a society we are healthier form knowing how our environment affects our physical condition, as we are now able to take steps to ameliorate our environment so we can improve our health.

With all of the advancements we have made in recent decades, we must still research further, especially in the area of how the environment affects women's health. There is evidence that shows that environmental factors contribute to numerous diseases in women. For example, there are synthetic chemicals in numerous regularly used pesticides and natural compounds in many plant products in our regular diet that produce compounds that mimic the female hormone estrogen. Many scientists believe that these 'environmental estrogens'' may block the natural hormone. If this is true, then environmental estrogens may play a role in diseases such as cancers of the breast, uterus, and ovaries, endometriosis, uterine fibroids, and osteoporosis. As we come into contact with environmental estrogens everyday through eating, drinking, and breathing, it is very important that we have research dedicated to discovering how they may affect women's health.

In addition, 12 million American kids suffer from developmental, learning, or behavioral disabilities. Attention deficit disorder affects three to six percent of our schoolchildren. Research shows that exposure to certain environmental factors during pregnancy may increase the risk of disabilities after birth. The research called for by this bill would help us to answer the many questions raised by the incidence of birth defects in certain environments.

One in three women will be diagnosed with cancer at some point in their lives. Uterine fibroids are present in between 20 and 30 percent of women over the age of 30. Endometriosis affects an estimated 10 to 15 percent of pre-menopausal women. Millions of women are affected every year with diseases that are more than likely linked to the environment. We must further our scientific knowledge in this area. For this reason I ask for your support for the Environmental Health Research Act. Thank you.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1588

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 ''Environmental Health Research Act of 2003''.

SEC. 2. NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES; AWARDS FOR DEVELOPMENT AND OPERATION OF MULTIDISCIPLINARY RESEARCH CENTERS REGARDING WOMEN'S HEALTH AND DISEASE PREVENTION.

Subpart 12 of part C of title IV of the Public Health Service Act (42 U.S.C. 285l et seq.) is amended by adding at the end the following section:

''MULTIDISCIPLINARY RESEARCH CENTERS REGARDING WOMEN'S HEALTH AND DISEASE PREVENTION

''SEC. 463B. (a) IN GENERAL.—The Director of the Institute shall make grants to public or nonprofit private entities for the development and operation of not more than 6 centers whose purpose is conducting multidisciplinary research on environmental factors that may be related to the development of women's health conditions (as defined in section 486). The Director of the Institute shall carry out this section in consultation with the Director of the Office of Research on Women's Health and with the advisory council for the Institute.

''(b) RESEARCH, TRAINING, AND INFORMATION AND EDUCATION.—

''(1) IN GENERAL.—Each center under subsection (a) shall, with respect to the purpose described in such subsection—

''(A) conduct basic and clinical research;

''(B) develop protocols for training physicians, scientists, nurses, and other health and allied health professionals;

''(C) conduct training programs for such individuals;

''(D) develop model continuing education programs for such professionals; and

''(E) disseminate information to such professionals and the public.

''(2) PRIORITY FOR PREVENTION ACTIVITIES.—In carrying out the activities described in paragraph (1), each center under subsection (a) shall give priority to activities that are directed toward preventing the development in women of the diseases and conditions involved.

''(3) STIPENDS FOR TRAINING OF HEALTH PROFESSIONALS.—A center under subsection (a) may use funds under such subsection to provide stipends for health and allied health professionals enrolled in programs described in paragraph (1)(C).

''(c) COLLABORATION WITH COMMUNITY.—Each center under subsection (a) shall establish and maintain ongoing collaborations with community organizations in the geographic area served by the center, including those that represent women with disorders that appear to stem from environmental factors.

''(d) COORDINATION OF CENTERS; REPORTS.—The Director of the Institute shall, as appropriate, provide for the coordination of information among centers under subsection (a) and ensure regular communication between such centers.

''(e) STRUCTURE OF CENTER.—Each center assisted under subsection (a) shall use the facilities of a single institution, or be formed from a consortium of cooperating institutions, meeting such requirements as may be prescribed by the Director of the Institute.

''(f) DURATION OF SUPPORT.—Support of a center under subsection (a) may be for a period not exceeding 5 years. Such period may be extended for 1 or more additional periods not exceeding 5 years if the operations of such center have been reviewed by an appropriate technical and scientific peer review group established by the Director of the Institute and if such group has recommended to the Director that such period should be extended.

''(g) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for fiscal years 2004 through 2007.''.

SEC. 3. AMENDMENT TO THE PUBLIC HEALTH SERVICE ACT TO PROVIDE FOR RESEARCH ON HORMONE DISRUPTION.

(a) FINDINGS.—The Congress finds as follows:

(1) Many compounds found or introduced into the environment by human activity are capable of disrupting the hormone system of humans and animals. The consequences of such disruption can be profound because of the crucial role hormones play in controlling development. No standardized and validated screens or tests have been developed to routinely and systematically assess chemicals for disruptive effects on hormone systems.

(2) In the last 30 years, the United States has experienced an increase in the incidence of such human disorders as childhood cancers, testicular cancer, hypospadias, juvenile diabetes, attention deficit-like hyperactivity disorders, autism, thyroid disorders, and auto-immune disorders. Exposure to hormone-disrupting chemicals may be contributing to these increases. The impact on children's health as a result of prenatal exposures in particular needs further research.

(3) In 2001, the Centers for Disease Control and Prevention's ''National Report on Human Exposure to Environmental Chemicals'' reported on human exposure to 27 chemicals, and found unexpectedly high levels of certain chemicals used in consumer products. The hazards to humans of these chemicals, singly and in combination, are not well understood.

(4) Many wildlife populations have been affected by hormone-disrupting substances, including birds, fish, reptiles, and mammals. The effects vary among species and compounds.

(5) The effects in wildlife include thyroid dysfunction, decreased fertility, decreased hatching success, gross birth deformities, metabolic and behavioral abnormalities, demasculinization and feminization of male organisms, deformation and masculinization of female organisms, and compromised immune systems. These effects may signal hazards to human health.

(6) Laboratory studies have corroborated studies of effects in wildlife and have identified biological mechanisms to explain the effects shown.

(7) Since the chemicals found in wildlife are also found in humans, humans are exposed to the same chemicals as wildlife.

(8) Hormone disruption can occur at very low doses, especially when exposure occurs in the womb or immediately after birth, periods during which rapid development is occurring.

(9) In the Food Quality Protection Act of 1996 (21 U.S.C. 301 note), Congress recognized the special vulnerability of infants and children to pesticides and requested that the Environmental Protection Agency establish a program to screen and test hormone-disrupting chemicals. The Environmental Protection Agency has not yet required such screening or tests.

(10) In 1998, a research committee on hormone disrupters, organized under the auspices of the Office of Science and Technology Policy, concluded that ''scientific knowledge is inadequate to fully inform public policy, and a government-wide coordinated research effort that addresses the key scientific uncertainties . . . is needed''.

(11) In 1999, in response to a request from Congress and funded through the Environmental Protection Agency and the Department of the Interior, the National Academy of Sciences compiled a lengthy list of research, monitoring, and testing priorities related to hormone disruption.

(12) The National Institute of Environmental Health Sciences conducts much of the Federal Government's research on hormone disruption, often working in partnership with other agencies.

(13) While recognizing the many contributions of animal testing to understanding toxic hazards, the Congress also recognizes the desirability of speeding the use of validated nonanimal screens and tests (to reduce animal suffering and to reduce costs) and expediting judgments about hazards from toxic chemicals.

(14) The United States Geological Survey (referred to in this section as the ''USGS'') has considerable experience assessing the occurrence of chemicals in the environment, ecological health, and the hazards to wildlife health and associated human health posed by chemicals in the environment, as a result of monitoring by the USGS of the Nation's water resources and wildlife disease, and research by the USGS on the effects of chemicals on wildlife.

(15) The National Academy of Sciences has recognized the expertise of the USGS in such areas as food web contamination and water quality assessment and has encouraged more coordinated work on human health between the USGS and the National Institutes of Health.

(b) AMENDMENT.—Subpart 12 of part C of title IV of the Public Health Service Act (42 U.S.C. 2851 et seq.), as amended by section 2, is further amended by adding at the end the following:

''DIRECTED NATIONAL PROGRAM OF RESEARCH ON HORMONE DISRUPTION

''SEC. 463C. (a) RESEARCH.—

''(1) IN GENERAL.—The Director of the Institute shall establish within the Institute a comprehensive program to—

''(A) conduct research on the impact of chemicals that affect human health through disruption of the hormone systems;

''(B) conduct research on the occurrence of hormone-disrupting chemicals in the environment and their effects on ecological and wildlife health, in cooperation with the United States Geological Survey (referred to in this section as the 'USGS');

''(C) coordinate the design of a multi-agency research initiative on hormone disruption;

''(D) coordinate research on hormone disruption in the United States with such research conducted in other nations; and

''(E) report to the public every 2 years on the extent to which hormone disruption by chemicals in the environment poses a threat to human health and the environment.

''(2) ISSUES.—The program established under paragraph (1) shall provide for the following:

''(A) Collection, compilation, publication, and dissemination of scientifically valid information on—

''(i) possible human health effects of hormone-disrupting chemicals, with emphasis on exposures to low doses of individual chemicals and chemical mixtures during critical life stages of development, particularly effects of prenatal exposures on children's health;

''(ii) the extent of human exposure to hormone-disrupting chemicals, with particular emphasis on exposures during critical life stages of development and in residential and occupational settings; and

''(iii) exposure of wildlife species to hormone-disrupting chemicals and possible health effects associated with such exposures.

''(B) Research on mechanisms by which hormone-disrupting substances interact with biological systems.

''(C) Research on improved in vitro and in vivo methods to screen and test hormone disruption.

''(D) Research on the identity, levels, transport, and fate of hormone-disrupting chemicals in the environment.

''(b) DIRECTOR'S DUTIES.—

''(1) IN GENERAL.—The Director of the Institute shall have principal responsibility, in consultation with the Director of the USGS, for conducting and coordinating research on

the effects of hormone-disrupting chemicals on human health and the environment.

''(2) AGREEMENT.—Not later than 6 months after the date of enactment of the Environmental Health Research Act of 2003, the Director of the Institute and the Director of the USGS shall enter into an agreement to carry out the research program established under subsection (a).

''(3) TRANSFER OF FUNDS.—The Director of the Institute may transfer funds to other Federal agencies to carry out the Director's responsibilities under paragraph (1).

''(4) REPORT.—The Director of the Institute, in consultation with the Director of the USGS, shall make available to the public, every 2 years following the date of enactment of the Environmental Health Research Act of 2003, findings and conclusions on the extent to which hormone disruption by chemicals in the environment poses a threat to human health and the environment.

''(c) INTERAGENCY COMMISSION.—

''(1) ESTABLISHMENT.—The Secretary shall establish a commission to be known as the Hormone Disruption Research Interagency Commission (referred to in this section as the 'Interagency Commission') to advise the Director of the Institute and the Director of the USGS on the development of a comprehensive agenda for conducting research on hormone disruption.

''(2) MEMBERSHIP.—The Interagency Commission shall be composed of 12 members, as follows:

''(A) The Director of the Institute, who shall serve as the Chairperson.

''(B) The Director of the USGS, who shall serve as the Vice Chairperson.

''(C) The Commissioner of the Food and Drug Administration.

''(D) The Director of the Centers for Disease Control and Prevention.

''(E) The Administrator of the National Oceanic and Atmospheric Administration.

''(F) The Director of the National Institute for Occupational Safety and Health.

''(G) The Administrator of the Agency for Toxic Substances and Disease Registry.

''(H) The Director of the Fish and Wildlife Service.

''(I) The Secretary of Defense.

''(J) The Administrator of the Environmental Protection Agency.

''(K) The Chairman of the Consumer Product Safety Commission.

''(L) The Director of the National Science Foundation.

''(3) STAFF.—Each department or agency represented by a member on the Interagency Commission shall provide appropriate staff to carry out the duties of the Interagency Commission.

''(4) RECOMMENDATIONS.—Not later than 12 months after the date of enactment of the Environmental Health Research Act of 2003, the Interagency Commission shall recommend to the Director of the Institute and the Director of the USGS a research program, including levels of funding for intramural and extramural research.

''(5) PUBLIC COMMENT.—The Director of the Institute, through publication of notice in the Federal Register, shall provide the general public with an opportunity to comment on the recommendations of the Interagency Commission.

''(6) REPORT.—Not later than 4 years after the date of enactment of the Environmental Health Research Act of 2003, the Interagency Commission shall conduct a review of the program established under subsection (a) and submit a report on the results of such review to the Director of the Institute and to the Hormone Disruption Research Panel established under subsection (e).

''(7) TERMINATION.—The Interagency Commission shall terminate not later than the end of the 5-year fiscal period described in subsection (h)(1).

''(d) FINANCIAL ASSISTANCE.—The Director of the Institute may provide financial assistance and enter into grants, contracts, and interagency memoranda of understanding to conduct activities under this section. Research conducted pursuant to interagency memoranda of understanding may be conducted through intramural and extramural agency research programs, subject to appropriate scientific peer review.

''(e) HORMONE DISRUPTION RESEARCH PANEL.—

''(1) ESTABLISHMENT.—There is established in the Institute a Hormone Disruption Research Panel (referred to in this subsection as the 'Panel').

''(2) DUTIES.—The Panel shall advise the Director of the Institute concerning the scientific content of the program established under subsection (a), the progress of such program, and public outreach, and shall provide such other advice as requested by the Director of the Institute.

''(3) MEMBERSHIP.—The Panel shall be composed of the following:

''(A) 15 voting members to be appointed by the President, in consultation with the Director of the Institute.

''(B) Such nonvoting, ex officio members as the Director of the Institute determines to be appropriate.

''(4) VOTING MEMBERS.—Of the 15 voting members of the Panel—

''(A) at least 2 members shall be from environmental protection organizations;

''(B) at least 2 members shall be from public health and consumer organizations;

''(C) at least 2 members shall be from industry;

''(D) at least 1 member shall be from an animal welfare organization; and

''(E) a majority of the members shall be selected from among scientists and environmental health professionals who—

''(i) are not officers or employees of the United States;

''(ii) represent multiple disciplines, including clinical, basic, public, and ecological health sciences;

''(iii) represent different geographical regions of the United States;

''(iv) are from practice settings, academic settings, and for-profit or not-for-profit research settings; and

''(v) have experience in review of research on endocrine disruption.

''(5) TERMS.—The members of the Panel shall be appointed for an initial term of 3 years and shall be eligible for reappointment for 1 additional term of 2 years.

''(6) CHAIRPERSON.—The members of the Panel appointed under paragraph (3) shall elect a chairperson from among such members.

''(7) MEETINGS.—The Panel shall meet at the call of the chairperson or upon the request of the Director of the Institute, but in no case less often than once each year.

''(8) ADMINISTRATIVE SUPPORT.—The Institute shall provide administrative support to the Panel.

''(9) TERMINATION.—The Panel shall terminate not later than the end of the 5-year fiscal period described in subsection (h)(1).

''(f) CONFLICTS OF INTEREST.—All grants and contracts entered into under this section shall include conflict-of-interest provisions that require any person conducting a project under this section to disclose any other source of funding received by the person to conduct other related projects.

''(g) DEFINITIONS.—For purposes of this section:

''(1) HORMONE.—The term 'hormone' means a substance produced in a cell or tissue that triggers a biological response. Hormone activity may be localized to the cell in which the substance is produced, or may be in nearby or distant tissues or organs.

''(2) HORMONE DISRUPTION.—The term 'hormone disruption' means interference by a substance with the synthesis, secretion, transport, binding, action, or elimination of natural hormones in the body that are responsible for the maintenance of homeostasis, reproduction, development, function, or behavior.

''(h) AUTHORIZATION OF APPROPRIATIONS.—

''(1) GENERAL AUTHORIZATION.—There are authorized to be appropriated such sums as may be necessary for the 5-fiscal-year period beginning with fiscal year 2004 to carry out this section. Amounts appropriated pursuant to this paragraph shall remain available until expended.

''(2) RESTRICTIONS ON USE OF FUNDS.—

''(A) CONSTRUCTION AND REHABILITATION OF FACILITIES AND EQUIPMENT.—Not more than 0.5 percent of the funds made available under this section may be used for the construction or rehabilitation of facilities or fixed equipment.

''(B) ADMINISTRATIVE EXPENSES OF THE DIRECTOR.—Of the total amount of funds made available under this section for any fiscal year, not more than 2 percent of such funds may be used for administrative expenses of the Director of the Institute in carrying out this section.

''(C) PUBLIC OUTREACH.—Of the total amount of funds made available under this section for any fiscal year, at least 1 percent, but not more than 5 percent, shall be used for outreach to the public concerning the activities and results of the program.''.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 64—TO COMMEND MEMBERS OF THE UNITED STATES ARMED FORCES FOR THEIR SERVICES TO THE UNITED STATES IN THE LIBERATION OF IRAQ, AND FOR OTHER PURPOSES

Mr. MILLER (for himself, Ms. COLLINS, Mr. INOUYE, Mr. CHAMBLISS, Mr. LEVIN, Mr. DASCHLE, Mr. NELSON of Nebraska, and Mr. WARNER) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 64

Whereas the valiant and dedicated members of the United States Armed Forces performed in an exceptionally professional manner, befitting of an all-volunteer military force, during Operation Iraqi Freedom;

Whereas the National Guard and the other reserve components of the United States Armed Forces demonstrated their readiness and ability to respond and deploy quickly and were an integral part of Operation Iraqi Freedom;

Whereas the families of the more than 200,000 members of the United States Armed Forces who were called into action in Operation Iraqi Freedom provided exceptional and unwavering support for the United States servicemembers who were deployed to the Middle East; and

Whereas the people of the United States grieve and pray for all those who made the ultimate sacrifice and for those who were injured in the line of duty while serving in Operation Iraqi Freedom: Now, therefore, be it

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

(1) commends the members of the United States Armed Forces for their role in Operation Iraqi Freedom, and for serving in that

Operation with such distinctive bravery and professionalism;

(2) calls on the people of the United States to pay honor and homage to all those who fell in the line of duty in Operation Iraqi Freedom;

(3) commends the families of members of the United States Armed Forces for their special role and sacrifices in providing support for United States servicemembers who were deployed to the Middle East for Operation Iraqi Freedom; and

(4) expresses deep condolences to the families of the brave men and women who lost their lives during the conflict in Iraq.

SENATE CONCURRENT RESOLUTION 65—TO COMMEND THE THIRD INFANTRY DIVISION (MECHANIZED) OF THE UNITED STATES ARMY FOR ITS ROLE IN THE LIBERATION OF IRAQ

Mr. MILLER (for himself, Ms. COLLINS, Mr. INOUYE, Mr. CHAMBLISS, and Mr. WARNER) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 65

Whereas the Third Infantry Division of the United States Army was organized in 1917 for participation in World War I, and its fierce defense of positions along the Marne River in France in July 1918 blocked an enemy onslaught on approaches to Paris and earned the Division the motto ''Rock of the Marne'';

Whereas the soldiers of the Third Infantry Division, now mechanized, stand ready to answer the call to defeat aggression with rock solid determination;

Whereas more than 16,000 men and women from the First and Second Brigades of the Third Infantry Division (Mechanized), stationed at Fort Stewart, Georgia, and the Third Brigade of the Division, stationed at Fort Benning, Georgia, were deployed in support of Operation Iraqi Freedom;

Whereas the families of the soldiers of the Third Infantry Division (Mechanized) deployed in support of Operation Iraqi Freedom provided exceptional and unwavering support for their soldiers during the deployment; and

Whereas Congress and the people of the United States have the greatest pride in the men and women of the Third Infantry Division (Mechanized), and strongly support those men and women as they carry out their duties: Now, therefore, be it

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

(1) honors the men and women of the Third Infantry Division (Mechanized) of the United States Army who participated in Operation Iraqi Freedom and the follow-on military operations in Iraq, for their professional excellence, dedicated patriotism, and exemplary bravery;

(2) commends the soldiers of the Third Infantry Division (Mechanized) for their role in the fall of Baghdad;

(3) expresses gratitude to the families of the soldiers of the Third Infantry Division (Mechanized) for bearing the burden of sacrifice and separation from loved ones during the operations in Iraq; and

(4) expresses deep condolences to the families of the brave soldiers of the Third Infantry Division (Mechanized) who lost their lives while fighting to liberate Iraq.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1580. Mr. HARKIN (for himself, Mr. KENNEDY, Mr. DASCHLE, Ms. MIKULSKI, Mrs. CLINTON, Mr. EDWARDS, Mrs. MURRAY, Mr. CORZINE, Mr. BYRD, Mr. SCHUMER, Mr. LAUTENBERG, Mr. KERRY, Mr. LIEBERMAN, Mr. FEINGOLD, Mr. SARBANES, Mr. DODD, Ms. STABENOW, Mr. REID, Mr. LEAHY, Mr. DURBIN, Mr. AKAKA, Mr. DAYTON, Mr. PRYOR, Mr. REED, Mr. NELSON of Florida, and Mr. JOHNSON) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

SA 1581. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra; which was ordered to lie on the table.

SA 1582. Mr. REID submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra; which was ordered to lie on the table.

SA 1583. Mr. FRIST (for Mr. HATCH) proposed an amendment to the resolution S. Res. 210, expressing the sense of the Senate that supporting a balance between work and personal life is in the best interest of national worker productivity, and that the President should issue a proclamation designating October of 2003 as ''National Work and Family Month''.

SA 1584. Mr. FRIST (for Mr. HATCH) proposed an amendment to the resolution S. Res. 210, supra.

SA 1585. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table.

SA 1586. Mr. NELSON of Nebraska submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra; which was ordered to lie on the table.

SA 1587. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra; which was ordered to lie on the table.

SA 1588. Mr. BINGAMAN (for himself, Mr. LAUTENBERG, Ms. CANTWELL, Mr. BAUCUS, Ms. STABENOW, Mr. LEVIN, Mr. DURBIN, and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill H.R. 2660, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1580. Mr. HARKIN (for himself, Mr. KENNEDY, Mr. DASCHLE, Ms. MIKULSKI, Mrs. CLINTON, Mr. EDWARDS, Mrs. MURRAY, Mr. CORZINE, Mr. BYRD, Mr. SCHUMER, Mr. LAUTENBERG, Mr. KERRY, Mr. LIEBERMAN, Mr. FEINGOLD, Mr. SARBANES, Mr. DODD, Ms. STABENOW, Mr. REID, Mr. LEAHY, Mr. DURBIN, Mr. AKAKA, Mr. DAYTON, MR. PRYOR, Mr. REED, Mr. NELSON of Florida, and Mr. JOHNSON) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other pruposes; as follows:

On page 23, between lines 15 and 16, insert the following:

SEC. ____. None of the funds provided under this Act shall be used to promulgate or implement any regulation that exempts from the requirements of section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) any employee who is not otherwise exempted pursuant to regulations under section 13 of such Act (29 U.S.C. 213) that were in effect as of September 3, 2003.

SA 1581. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other pruposes; which was ordered to lie on the table; as follows:

On page 62, line 6, insert ''annually'' after ''obtain''.

SA 1582. Mr. REID submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other pruposes; which was ordered to lie on the table; as follows:

On page 30, line 7, insert before the period the following: ''*: Provided further,* That in addition to amounts otherwise made available under this Act to the Centers for Disease Control and Prevention for activities under the comprehensive cancer control program, there shall be made available an additional $8,000,000 to expand comprehensive cancer control activities, including activities relating to cancer survivorship in partnership with national cancer survivorship organizations''.

SA 1583. Mr. FRIST (for Mr. HATCH) proposed amendment to the resolution S. Res. 210, expressing the sense of the Senate that supporting a balance between work and personal life is in the best interest of national worker productivity, and that the President should issue a proclamation designating October of 2003 as ''National Work and Family Month''; as follows:

Strike all after the resolving clause and insert the following:

That—

(1) it is the sense of the Senate that—

(A) reducing the conflict between work and family life should be a national priority; and

(B) the month of October of 2003 should be designated as ''National Work and Family Month''; and

(2) the Senate requests that the President issue a proclamation calling upon the people of the United States to observe ''National Work and Family Month'' with appropriate ceremonies and activities.

SA 1584. Mr. FRIST (for Mr. HATCH) proposed an amendment to the resolution S. Res. 210, expressing the sense of the Senate that supporting a balance between work and personal life is in the best interest of national workers productivity, and that the President should issue a proclamation designating October of 2003 as ''National Work and Family Month''; as follows:

Amend the title so as to read: ''Expressing the sense of the Senate that supporting a

balance between work and personal life is in the best interest of national workers productivity, and that the President should issue a proclamation designating October of 2003 as ''National Work and Family Month''.''.

SA 1585. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

SEC. ____. (a) The total amount appropriated, out of any money in the Treasury not otherwise appropriated for fiscal year 2004, to carry out the 21st Century Community Learning Centers Program under part B of title IV of the Elementary and Secondary Education Act of 1965, shall be $1,100,000,000.

(b) Each amount appropriated under this Act (other than amounts appropriated for the Department of Education) that is not required to be appropriated by a provision of law is reduced by the uniform percentage necessary to reduce the total amounts appropriated under this Act (other than amounts appropriated for the Department of Education) by $100,000,000.

SA 1586. Mr. NELSON of Nebraska submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

In title II, after section 218, insert the following:

SEC. 219. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Centers for Medicare & Medicaid Services proposed rule entitled ''Medicare Program; Inpatient Rehabilitation Facility Prospective Payment System For FY 2004; Proposed Rule'', 68 Fed. Reg. 26786 (May 16, 2003), or any other proposed rule regarding the inpatient rehabilitation facility prospective payment system for fiscal year 2004, unless the Secretary of Health and Human Services—

(1) modifies the proposed rule to provide that during such period as the Secretary may determine, not to exceed 1 year, the requirement that 75 percent of the facility's cases shall be in 10 diagnoses (commonly referred to as the ''75 percent rule'') shall be lowered to 50 percent;

(2) during such period, consults with an expert panel of clinicians to reach a consensus on the diagnoses to be included in the 75 percent rule, as well as the appropriate clinical criteria for patients within the respective diagnoses, and whether joint replacements should be included or added to the diagnoses subject to the 75 percent rule; and

(3) considers basing inpatient rehabilitation facility payments on patient-specific criteria that are linked to high-quality outcomes.

SA 1587. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 43, line 16, strike ''$34,227,000'' and insert ''$54,227,000, of which $20,000,000 shall be derived from prior-year funds available for fiscal year 2004 expenses''.

SA 1588. Mr. BINGAMAN (for himself, Mr. LAUTENBERG, Ms. CANTWELL, Mr. BAUCUS, Ms. STABENOW, Mr. LEVIN, Mr. DURBIN, and Mr. PRYOR) submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 42, line 25, strike ''$2,000,000,000.'' and insert ''$3,000,000,000: *Provided*, That of the funds appropriated in this Act for the National Institutes of Health, $3,000,000,000 shall not be available for obligation until September 30, 2004: *Provided further*, That the amount $6,895,199,000 in section 305(a)(1) of this Act shall be deemed to be $7,895,199,000: *Provided further*, That the amount $6,783,301,000 in section 305(a)(2) of this Act shall be deemed to be $5,783,301,000.''.

AUTHORITY FOR COMMITTEES TO MEET

JOINT ECONOMIC COMMITTEE

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Joint Economic Committee be authorized to conduct a hearing in Room 628 of the Dirksen Senate Office Building, Friday, September 5, 2003, from 9:30 am to 1 pm.

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

COMMENDING MEMBERS OF THE UNITED STATES ARMED FORCES

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 64, submitted earlier today by Senators MILLER, COLLINS, INOUYE, CHAMBLISS, LEVIN, DASCHLE, NELSON of Nebraska, and WARNER.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 64) to commend members of the United States Armed Forces for their services to the United States for the liberation of Iraq, and for other purposes.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FRIST. I ask unanimous consent that the concurrent resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and any statements relating thereto be printed in the RECORD, without intervening action or debate.

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

The concurrent resolution (S. Con. Res. 64) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 64

Whereas the valiant and dedicated members of the United States Armed Forces performed in an exceptionally professional manner, befitting of an all-volunteer military force, during Operation Iraqi Freedom;

Whereas the National Guard and the other reserve components of the United States Armed Forces demonstrated their readiness and ability to respond and deploy quickly and were an integral part of Operation Iraqi Freedom;

Whereas the families of the more than 200,000 members of the United States Armed Forces who were called into action in Operation Iraqi Freedom provided exceptional and unwavering support for the United States servicemembers who were deployed to the Middle East; and

Whereas the people of the United States grieve and pray for all those who made the ultimate sacrifice and for those who were injured in the line of duty while serving in Operation Iraqi Freedom: Now, therefore, be it

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

(1) commends the members of the United States Armed Forces for their role in Operation Iraqi Freedom, and for serving in that Operation with such distinctive bravery and professionalism;

(2) calls on the people of the United States to pay honor and homage to all those who fell in the line of duty in Operation Iraqi Freedom;

(3) commends the families of members of the United States Armed Forces for their special role and sacrifices in providing support for United States servicemembers who were deployed to the Middle East for Operation Iraqi Freedom; and

(4) expresses deep condolences to the families of the brave men and women who lost their lives during the conflict in Iraq.

COMMENDING THE THIRD INFANTRY DIVISION (MECHANIZED) OF THE UNITED STATES ARMY

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 65, submitted earlier today by Senators MILLER, COLLINS, INOUYE, CHAMBLISS, and WARNER.

The PRESIDING OFFICER. The clerk will report the concurrent resolution.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 65) to commend the Third Infantry Division (Mechanized) of the United States Army for its role in the liberation of Iraq.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FRIST. I ask unanimous consent that the concurrent resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and any statements relating thereto be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 65) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 65

Whereas the Third Infantry Division of the United States Army was organized in 1917 for participation in World War I, and its fierce defense of positions along the Marne River in France in July 1918 blocked an enemy onslaught on approaches to Paris and earned the Division the motto ''Rock of the Marne'';

Whereas the soldiers of the Third Infantry Division, now mechanized, stand ready to answer the call to defeat aggression with rock solid determination;

Whereas more than 16,000 men and women from the First and Second Brigades of the Third Infantry Division (Mechanized), stationed at Fort Stewart, Georgia, and the Third Brigade of the Division, stationed at Fort Benning, Georgia, were deployed in support of Operation Iraqi Freedom;

Whereas the families of the soldiers of the Third Infantry Division (Mechanized) deployed in support of Operation Iraqi Freedom provided exceptional and unwavering support for their soldiers during the deployment; and

Whereas Congress and the people of the United States have the greatest pride in the men and women of the Third Infantry Division (Mechanized), and strongly support those men and women as they carry out their duties: Now, therefore, be it

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

(1) honors the men and women of the Third Infantry Division (Mechanized) of the United States Army who participated in Operation Iraqi Freedom and the follow-on military operations in Iraq, for their professional excellence, dedicated patriotism, and exemplary bravery;

(2) commends the soldiers of the Third Infantry Division (Mechanized) for their role in the fall of Baghdad;

(3) expresses gratitude to the families of the soldiers of the Third Infantry Division (Mechanized) for bearing the burden of sacrifice and separation from loved ones during the operations in Iraq; and

(4) expresses deep condolences to the families of the brave soldiers of the Third Infantry Division (Mechanized) who lost their lives while fighting to liberate Iraq.

NATIONAL WORK AND FAMILY MONTH

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further action on S. Res. 210 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 210) expressing the sense of the Senate that supporting a balance between work and personal life is in the best interests of national worker productivity, and that the President should issue a proclamation designating October as ''National Work and Family Month''.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. I ask unanimous consent that the amendment to the resolution be agreed to and the resolution, as amended, be agreed to, the preamble be agreed to, and the amendment to the title be agreed to; further, that the motion to reconsider be laid on the table and any statements be printed in the RECORD.

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

The amendment (No. 1583) was agreed to, as follows:

(Purpose: To provide a complete substitute, and for other purposes)

Strike all after the resolving clause and insert the following:

That—

(1) it is the sense of the Senate that—

(A) reducing the conflict between work and family life should be a national priority; and

(B) the month of October of 2003 should be designated as ''National Work and Family Month''; and

(2) the Senate requests that the President issue a proclamation calling upon the people of the United States to observe ''National Work and Family Month'' with appropriate ceremonies and activities.

The amendment to the title (No. 1584) was agreed to, as follows:

Amend the title so as to read: ''Expressing the sense of the Senate that supporting a balance between work and personal life is in the best interest of national worker productivity, and that the President should issue a proclamation designating October of 2003 as ''National Work and Family Month''.''.

The resolution (S. Res. 210), as amended was agreed to.

The preamble was agreed to.

The resolution, with it preamble, reads as follows:

(The resolution, S. Res. 210, as amended, will be printed in a future edition of the RECORD.)

ORDERS FOR MONDAY, SEPTEMBER 8, 2003

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 1 p.m., Monday, September 8. I further ask unanimous consent, following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of H.R. 2660, the Labor-HHS-Education appropriations bill.

The Presiding Officer. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. For the information of all Senators, on Monday the Senate will resume consideration of H.R. 2660, the Labor-HHS-Education appropriations bill. The chairman and ranking member will be here Monday to continue working through amendments, and it is my hope that additional amendments will be offered and debated during Monday's session.

Any votes ordered with respect to amendments to the Labor-HHS-Education appropriations bill will be stacked to occur late Monday afternoon. If we are unable to reach an agreement for votes on the pending appropriations bill, we may schedule a vote or votes on nominations that are available from the Executive Calendar. We will notify Members during Monday's session as votes are scheduled.

It is still our hope to complete the Labor-HHS-Education appropriations bill early next week, and we will continue our discussions on Monday as how best to make that happen.

As we enter the final weeks of this fiscal year, I do ask for all Senators' assistance as we try to schedule these appropriations bills and amendments.

ADJOURNMENT UNTIL 1 P.M. MONDAY, SEPTEMBER 8, 2003

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 3:39 p.m., adjourned until Monday, September 8, 2003, at 1 p.m.

EXTENSIONS OF REMARKS

TRIBUTE TO VI AND OZZIE SIS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. McINNIS. Mr. Speaker, I am honored to stand before this body of Congress and this nation today to pay tribute to Vi and Ozzie Sis of Fruita, Colorado. This remarkable couple is being recognized by the City of Fruita for the hard work and dedication they have given to the community. As Vi and Ozzie receive this recognition, I am honored to speak of their contributions and accomplishments here today.

Arriving in Fruita in 1985, these fine Coloradans quickly realized that they wanted to be involved in community activities. With a lot of hard work, the couple quickly became two of the area's best community servants. They helped bring a new Dinosaur Museum to Fruita, helped to establish a new civic center, and were instrumental in the creation of the Highway 340 corridor. In addition to these contributions, Vi spent over a decade on the Fruita City Council, serving several years as the Mayor Pro Tem.

As Ozzie and Vi prepare for their move to Colorado Springs, they have begun to think about volunteering in their new town. Their friends claim that if something needs to be done, they will be more than happy to do it.

Mr. Speaker, I join with my colleagues here today in applauding Vi and Ozzie's civic-mindedness and in recognizing their hard work on behalf of our community. This recognition to the couple for the work they do in their community is long overdue, and I am proud to bring their achievements to the attention of this body of Congress today. Congratulations and thanks again, Vi and Ozzie, for your many years of hard work on behalf of Fruita and the State of Colorado.

RECOGNIZING HAMMOND PUBLIC LIBRARY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. VISCLOSKY. Mr. Speaker, it is with great honor and pleasure that I stand before you today to recognize the many accomplishments of the Hammond Public Library throughout its 100 years of service to the Northwest Indiana community. As the citizens of Hammond and all of Northwest Indiana celebrate the centennial of the Hammond Library, we are reminded of the dedication and valiant efforts that have been made to incorporate education and community leadership to the region.

It was in 1903 that the first library board of Hammond was appointed. This board included Dr. W.F. Howat as the first president, Mr. J.G. lbach as the vice president, as well as many other distinguished appointed members. In 1904, the first library was moved into its own room in the Chicago Telephone Building. Mr. Andrew Carnegie, who at the time was contributing to the funding of public libraries across the nation, donated $27,000 to construct a new building for the library. On July 8, 1905, the library dubbed ″Old Main,″ was dedicated as the first fully constructed library building in the area and it served the community well for 62 years.

In 1910, the first branch office was established in a room above a fire station, and it was known as Branch No. 1. Three more branches were established in the next 12 years and the library deposited many collections of books in local department stores, the State Bank of Hammond, and also in private homes. Throughout the years, additional branches were opened to provide books and a community gathering space for the citizens of Hammond. The Hansen Branch was named after the first librarian of the Hammond Public Library, Ms. Marie Hansen. The branches continued to be named after influential leaders that helped make the dream of the library a reality.

After a time of change in the community and lack of resources, some branches were forced to close. But because of the city's strong encouragement and need for the library, they renovated the main library, as well as other branches. No matter what challenges face the community, the Hammond Public Library continues to provide many important resources for the community including books, classes, summer reading programs for children, and many community outreach programs.

Mr. Speaker, at this time, I ask that you and my other distinguished colleagues join me in honoring and congratulating the Hammond Public Library as well as its staff and community leaders on their 100th anniversary. Their many great accomplishments and service to the Hammond community will forever be cherished and commended.

RECOGNIZING DANIEL R. KLCO FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Daniel Raymond Klco, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and in earning the most prestigious award of Eagle Scout.

Daniel has been very active with his troop, participating in many Scout activities. Over the 13 years Daniel has been involved with Scouting, he has attended several camps, including Rota-Kiwan, Gerber, and D-BaR-A. Additionally, Daniel has held numerous leadership positions, serving as instructor, senior patrol leader, assistant senior patrol leader, scribe, assistant patrol leader, patrol leader, and formed the position of webmaster. At the 2001 National Jamboree, he was appointed to the position of patrol leader and created the website for the Gerald R. Ford Council's Jamboree Expedition.

For his Eagle Scout project, Daniel designed and built two handicap access ramps for the shower house at Camp Shawnee, a Campfire USA Camp. These ramps will allow the camp to better facilitate disabled campers and allow the camp to become handicap certified through the Americans with Disabilities Act.

Mr. Speaker, I proudly ask you to join me in commending Daniel Raymond Klco for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING THE LEVY COUNTY 4-H SHOOTNG SPORTS TEAM

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to honor a group of hard-working, talented individuals from the Levy County 4-H Shooting Team from my fifth congressional district of Florida. Dwayne Wilcox, Geneva Hollriegel, Kara Alexander, and Cassie Skelton made up Levy County's delegation to the National 4-H Shooting Sports Competition, held this summer in Raton, New Mexico.

I am pleased to congratulate this group of youngsters for their stellar performance at the competition before this body, Mr. Speaker. They've represented their state, their county and the 4-H organization well and I'd like to share their results with my colleagues and I ask that they join me in honoring the Levy County 4-H Shooting Sports Team today.

In the Archery, Recurve 3D Event, Rachel Babb placed 7th, Tiffany Boykin placed 8th, the group placed 2nd as a team in this event and placed 5th overall.

Kara Alexander placed 7th overall, and in the Hunting Competition she placed 9th in the decision-making and skills events and 3rd in safety.

Also in Hunter Safety Event, Geneva Hollriegel placed 7th and Cassie Skelton placed 10th. The team as a whole placed 3rd in decision making and wildlife management.

Mr. Speaker these accomplishments are truly noteworthy. we in this chamber all know the important role that 4-H plays, and has played, in the lives of so many youths in this country. I am pleased that the organization is alive and well in my district and that these young people have chosen to become involved in it and have prospered as well as they have.

TRIBUTE TO SOUTHERN UTE CHAIRMAN LEONARD C. BURCH

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. McINNIS. Mr. Speaker, it is with a solemn heart that I rise before this body of Congress to pay tribute to the life and passing of a truly visionary leader. As Chairman of the Southern Ute Tribe in Ignacio, Colorado, Leonard Burch worked tirelessly to elevate his tribe to a place of national prominence and improve the welfare of its members. I have great pride as I rise to highlight Chairman Burch's accomplishments and years of service to the State of Colorado.

The Southern Ute Tribe found a leader with vision for the long-term when they elected Leonard to serve as Chairman in 1967. Despite a soft-spoken demeanor, Chairman Burch exuded a strong presence, and elected officials throughout my state held him in high regard. Chairman Burch built on these partnerships to help pass the statute creating the Colorado Commission of Indian Affairs in 1976. Chairman Burch's high standard of public service and strong leadership style will serve as an example for generations of future leaders.

Chairman Burch was widely renowned for his caring personality and dedication to the long-term development of the Southern Ute Tribe. His policies as tribal Chairman focused on energy development, the health of his fellow tribe members, and the education of tribal youth. While he cared for the entire tribe's well being, Chairman Burch's focus never strayed from his family. He always spoke proudly of his seven daughters.

Mr. Speaker, I am proud to stand before this body of Congress to pay tribute to Leonard Burch for his devotion to his family, dedication to his community, and the leadership he offered to the Southern Ute Tribe. His legacy is evident in the enhanced self-determination, opportunity, and sovereignty that his fellow tribe members enjoy today. While he will be dearly missed, we can all take solace in the knowledge that Chairman Burch's spirit lives on through those whom he has touched.

ELLIS ISLAND MEDALS OF HONOR AWARDS CEREMONY—NECO CHAIRMAN WILLIAM DENIS FUGAZY LEADS DRAMATIC CEREMONY

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. BURTON of Indiana. Mr. Speaker, I submit the following:

ELLIS ISLAND, NY, May 17.—Standing on the hallowed grounds of Ellis Island—the portal through which 17 million immigrants entered the United States—a cast of ethnic Americans who have made significant contributions to the life of this nation were presented with the coveted Ellis Island Medal of Honor at an emotionally uplifting ceremony. This year's event was dedicated to our armed forces.

This year's ceremony date coincides with National Armed Forces Day. As such, we would like to pay special tribute to the men and women serving in the U.S. armed forces both here and abroad. Several of our Medalists also serve in the armed forces; many more are honored veterans.

NECO's annual medal ceremony and reception on Ellis Island in New York Harbor is the Nation's largest celebration of ethnic pride. Representing a rainbow of ethnic origins, this year's recipients received their awards in the shadow of the historic Great Hall, where the first footsteps were taken by the millions of immigrants who entered the U.S. in the latter part of the nineteenth century. ''Today we honor great ethnic Americans who, through their achievements and contributions, and in the spirit of their ethnic origins, have enriched this country and have become role models for future generations,'' said NECO Chairman William Denis Fugazy. ''In addition, we honor the immigrant experience—those who passed through this Great Hall decades ago, and the new immigrants who arrive on American soil seeking opportunity.''

Established in 1986 by NECO, the Ellis Island Medals of Honor pay tribute to the ancestry groups that comprise America's unique culture mosaic. To date, approximately 2000 American citizens have received medals.

NECO is the largest organization of its kind in the U.S. serving as an umbrella group for over 250 ethnic organizations and whose mandate is to preserve ethnic diversity, promote ethnic and religious equality, tolerance and harmony, and to combat injustice, hatred and bigotry. NECO has a new goal in its humanitarian mission: saving the lives of children with life-threatening medical conditions. NECO has founded The Forum's Children Foundation, which brings children from developing nations in need of life-saving surgery to the United States for treatment.

Ellis Island Medals of Honor recipients are selected each year through a national nomination process. Screening committees from NECO's member organizations select the final nominees, who are then considered by the Board of Directors.

Past Ellis Island Medals of Honor recipients have included several U.S. Presidents, entertainers, athletes, entrepreneurs, religious leaders and business executives, such as William Clinton, Ronald Reagan, Jimmy Carter, Gerald Ford, George Bush, Richard Nixon, George Pataki, Mario Cuomo, Bob Hope, Frank Sinatra, Michael Douglas, Gloria Estefan, Coretta Scott King, Rosa Parks, Elie Wiesel, Muhammad Ali, Mickey Mantle, General Norman Schwarzkopf, Barbara Walters, Terry Anderson, Dr. Michael DeBakey, Senator John McCain, Rudy Giuliani and Attorney General Janet Reno.

CONGRATULATIONS TO THE 2003 ELLIS ISLAND MEDALS OF HONOR RECIPIENTS

Ruth J. Abram, President, Lower East Side Tenement Museum, Romanian/Irish/Russian; Danny Aiello, Actor, Italian; Hon. Hagop S. Akiskal, M.D., Professor of Psychiatry, University of California at San Diego, Armenian; Hon. William Vollie Alexander, Managing Partner, Alexander & Associates, Scottish/English/Irish; Menelaos Anastasios Aliapoulios, M.D., Medical Director, General Electric Company, Hellenic; Hon. Hushang Ansary, Parman Group, Iranian; Angela Susan Anton, CEO & Publisher, Long Island Community Newspapers, Czechoslovakian/Italian; William Austin, Chairman & CEO, Starkey Laboratories Inc., English; Robert P. Badavas, Chief Operating Officer, Atlas Venture, Hellenic; Peter Balakian, Professor, Colgate University, Armenian; Roger Ballou, President & CEO, CDI Corporation, English/Scottish/French; Salvatore A. Balsamo, Chairman, Tac World Wide Companies, Italian; Peggy L.S. Barmore, Assistant to the President, NYSUT, African/Irish; Peter J. Barris, Managing General Partner, New Enterprise Associates, Hellenic; Anthony J. Bifaro, Assistant to the President, NYSUT, Italian; Michael Bolton, Bolton Music Company, Russian/English; Capt. Craig E. Bone, Commanding Officer & Commander of the Port NY & NJ, Coast Guard Activities, English/Irish/German; George Boyadjieff, Chairman, Varco International, Inc., Bulgarian/Russian; Albert A. Boyajian, President & CEO, Global Bakeries, Inc., Armenian; Roscoe C. Brown, Jr., President Emeritus, Bronx Community College—CUNY, African; Bishop William Brown, Pastor, Founder & Chairman, Salvation & Deliverance Church, South African; John A. Canning, Jr., President, Madison Dearborn Partners, Irish/Italian; Terrel L. Cass, President & General Manager, WLIW 21—NY Public Television, Irish/English; Myron Z. Chlavin, CEO, Desser Tire & Rubber Co., Austrian/Latvian; Msgr. Eugene V. Clark, Rector, St. Patrick's Cathedral, Irish/Dutch; Maj. Gen. Richard S. Colt, Commander, 77th Regional Support Command US Army Reserve, Scottish; Francis X. Comerford, President & General Manager, WNBC, Irish/Italian; Leo P. Condakes, President, Peter Condakes Co., Hellenic; Alexander A. Conti, Financial Representative, Northwestern Mutual Financial Network, Italian; Thomas J. Corcoran, Jr., President & CEO, FelCor Lodging Trust Inc., English; Thomas M. Coughlin, President & CEO, Wal-Mart Stores & Sam's Clubs USA, Irish; Hon. Anthony J. Cutrona, Supreme Court Justice—NYS Supreme Court, 2nd Judicial Department, Italian.

Salvatore A. Davino, President, Fidelity Land Development Corp., Italian; Commander Carlos Del Toro, US Naval Forces, Cuban; Vincent DeMentri, Anchor/Correspondent, WPIX–TV, Italian; John E. Durante, President, Rockledge Equities, Italian; Umberto P. Fedeli, Jr., President & CEO, The Fedeli Group, Italian; Charles A. Feghali, President, Interstate Resources, Inc., Lebanese; John J. Flynn, President, Int'l Union of Bricklayers & Allied Craftsworkers, Irish; Colonel Warren J. Foersch, Commander, First Marine Corps District—US Marines, French/German/Irish; Hon. James S. Gallas, US Magistrate Judge, US District Court—Northern District of Ohio, Eastern Division, Hellenic; Luther R. Gatling, President, Budget & Credit Counseling Services, Inc., African; Richard A. Goldstein, Chairman & CEO, International Flavors & Fragrances Inc., Russian; Hon. Joseph G. Golia, Associate Justice, Appellate Term, 2nd & 11th Judicial District, Supreme Court of the State of NY, Italian; John George Gonis, D.D.S., Chairman & President, Dental Associates, LTD, Hellenic; Andy Granatelli, Former CEO & President (Retired), STP Corporation, Italian; James T. Hackett, Chairman, President & CEO, Ocean Energy, Inc., Irish/German; Val J. Halamandaris, Esq., President, National Association for Homecare & Hospice, Hellenic; Thomas E. Hales, Chairman, President & CEO, Union State Bank, Italian/Irish; Taek Sun Han, Founder & CEO, Han Yang Supermarket/Han Yang Cultural Center/Morning Glory Stationery World, South Korean; Michael J. Handy, Director, Mayor's Office of Veterans Affairs, African/English/Native American; Russell Hotzler, Interim President, York College, CUNY, Italian/German; Sayed Jemal Houssein-Afghani, Inc., Humanitarian, Afghan/English; Ronald C. Jones, Secretary, United Federation of Teachers, Italian.

Georgia Kaloidis, CEO, Diskal, Inc., Hellenic; Frank S. Kamberos, Former VP Operations, Treasure Island Foods, Inc., Hellenic;

I. Pano Karatassos, Founder/President, Buckhead Life Restaurant Group, Hellenic; Bruce E. Karatz, Chairman & CEO, KB Home, Russian; Elaine Kaufman, President, Elaine's Restaurant, Russian; Stella Kim, Executive Vice President, By Design, L.L.C., South Korean; Michael B. Kitchen, President & CEO, CUNA Mutual Group, Canadian; Thomas M. Lamberti, Esq., Partner, Putney, Twonbly, Hall & Hirson, LLP, Italian; Lou Lamoriello, President, CEO & General Manager, New Jersey Devils, CEO, NJ Nets, Italian; Henri Landwirth, Founder & Chairman, Give Kids the World & Dignity-U-Wear Foundation Inc., Belgian/Polish; Stewart F. Lane, President, Theatre Venture, Inc., Russian/Polish; A. Alexander Lari, Founder & Chairman, Claremont Group, LLC, Iranian; Denis Leary, President, The Leary Firefighters Foundation, Irish; Chung Wha Lee, President, Lee Chung Wha Diamond Corporation, Korean; Howard H. Lee, President & CEO, World Journal, Chinese; Simon S. Lee, CEO & President, STG, Inc., South Korean; James P. Lemonias, Chairman & CEO, Whitman Company, Inc., Hellenic; Lt. Gen. William J. Lennox, Jr., Superintendent US Military Academy, Scottish/Irish; Hon. Phil Leventis, State Senator, State of South Carolina, Hellenic; Michael Yi-Sheng Liao, VP/Chief Information Officer, GM Asset Management, Chinese; Tony Lo Bianco, Actor, Director and Producer, Italian; Richard A. Loughlin, Vice Chairman, Willis, Irish; Constantine S. Macricostas, Chairman, Founder, Photronics, Hellenic; Sheldon Harris Malinou, DDS, Assistant to the Director, Cabrini Medical Center, Russian/Ukrainian; Anastasios E. Manessis, President, Manessis Marketing Corp., Hellenic; Puzant A. Markarian, Principal (Retired), Arlington Textiles, Inc., Armenian; John L. Marks, Chairman & CEO, Mark IV Realty, Inc., Hellenic.

Patrick F. Martin, Chairman, President & CEO, StorageTek, Irish; Stanley Matthews, Founder, Matthews Diner & Pancake House, Hellenic; Hon. Roslynn R. Mauskopf, US Attorney, Eastern District, New York, Czechoslovakian; Hon. James E. McGreevey, Governor—State of New Jersey, Irish; Raymond Melville, Assistant Business Manager, Local Union #3, I.B.E.W., Irish; Robert G. Miller, Chairman & CEO, Rite Aid Corporation, Russian/English; Veronica Montgomery-Costa, President, Local 372 NYC Board of Education Employees Union, African; Patrick J. Moore, President & CEO, Smurfit-Stone Container Corporation, Irish/Scottish/Swedish; Donal J. Murphy, President, D.J. Murphy Assoc, Irish; Albin D. Obal, President, Condor Contracting Company, Inc., Owner, Midland Enterprises, Polish; James E. O'Connor, Chairman & CEO, Republic Services, Inc., Irish; James F. Orr, Chairman, President & CEO, Convergys Corporation, Scottish/Irish/English/German; Nacy Panzica, Chairman, Panzica Construction Company, Italian; Steven Peter Papadatos, President, Papadatos Associatesn PC Architects, Hellenic; Frank Pellegrino, Sr., CEO, Rao's Specialty Foods, Italian; Stan Pelofsky, M.D., President, Neuroscience Speciahsts, Polish.

James Tung Chiang Pi, President, Pi Trading Company, Inc., Chinese; John Politis, President & CEO, Apartment Realty Group, Inc., Hellenic; Gerry Puccio, Sr., Founder, Rockleigh Country Club/CEO Carrin on Real Estate & Investment Group, Italian; Lewis S. Ranieri, Founder & Chairman, Hyperion Partners, LLP, Italian; Subash Razdan, Advisor, Procurement Advisory Council, Coca Cola Company, Indian; Paul V. Reilly, President, Chairman & CEO, Mail-Well, Inc., Irish; Mary Lou Retton, U.S. Olympic Gold Medallist, Italian; Richard Romanoff, President, Nebraskaland, Inc., Russian; E. John Rumpakis, Owner, N.E.W.S., Hellenic; Michael Schenkler, Pubhsher, Queens Tribune, Russian/Polish; Martin Scorsese, President, Cappa Productions, Italian; Myron P. Shevell, Chairman & CEO, New England Motor Freight Inc./The Shevell Group, Russian/German; David J. Shitn, Chairman CEO, Riverside Park, Inc./Kiku Restaurant Inc., Korean; Richard Silverman, Vice-Chairman, Fleet National Bank N.A., Romanian/English; Hon. Nirmal K. Sinha, Commissioner Ohio Civil Rights, Assistant Director Department of Pubhc Utilities, Columbus, Ohio, Indian; Curtis Shwa, Founder and President, The Alliance of Guardian Angels, Itahan/Polish; Thomas A. Smith, President & CEO, Oglethorpe Power Corporation, Norwegian/Scottish/German; Ralph Snyderman, M.D., Chancellor for Health Affairs, President and CEO, Duke University Health System, Russian; Rajesh K. Soin, Chairman & CEO, Soin International, Indian.

Hon. Maria Sotiropoulos, Protocol Officer, The White House/US Department, of State, Cypriot; Sy Sternberg, Chairman & CEO, New York Life Insurance Company, Romanian/Polish/Lithuanian; Nicolas Tabbal, M.D., F.A.C.S., Plastic Surgeon, Manhattan Eye Ear & Throat Hosp-NYU, Lebanese; Hon. Patrick N. Theros, Ambassador, President & Executive Director, US Qatar Business Council, Hellenic; Demetrios E. Tsintolas, President, Tsintolas Realty Company, Hellenic; Ben Vereen, Vereen Productions, Afiican; Nicholas S. Vidalakis, CoFounder, Chairman & CEO, VFP LLC, Hellenic; Vuksan Vuksanaj, President, New York Travel Agency, Inc., Albanian; Mike Wallace, Senior Correspondent, CBS News/60 Minutes, Russian; Donald Washkewicz, President & CEO, Parker-Hannifin Corporation, Polish/Czechoslovakian; Hon. Jim Wright, Speaker of the House 1987–1989, Texas Christian University, Australian/Irish/Scottish; Jeffrey Yarmuth, President & COO, Sonny's Franchise Co., Russian/Polish; Pan A. Yotopoulos, Distinguished Professor, University of Florence, Hellenic; Xenophon Zapis, Radio Broadcaster, Zapis Communications Corporation, Hellenic; Detective Sergeant Wallace R. Zeins, Commanding Officer, Manhattan Night Watch, NYPD, Russian.

HONORING MAX MAROLT

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. McINNIS. Mr. Speaker, it is with a solemn heart that I rise before this body of Congress today to recognize the life and passing of a skiing icon. Max Marolt was a world-class skier and prominent political figure in his hometown of Aspen, Colorado. I am honored to rise today to highlight Max's accomplishments and his service to the Aspen community.

Max was born in Aspen in 1936, one of three sons that would soon become prominent figures in the skiing community. Max excelled as a member of the Aspen junior racing team, leading it to a third place finish at the National Junior Meet in 1951. After joining the Denver University Ski Team, he earned a place on the U.S. Ski Team in 1954. Several years later, Max's skills and determination led to an invitation to the 1960 Olympic Winter Games. Max's participation in the Olympic games inspired local skiers throughout the area to pursue their grandest dreams, including his brother Bill, who competed in the Olympics in 1964.

Although Max's intrepid spirit led him on many adventures around the world, he continued to call Aspen his home. Max worked as a sales representative for several ski equipment manufacturers while raising his four children and cultivating their respective skiing careers. His son noted that Max dedicated the last 30 years of his life to his family and community. Max's service included a stint on the Aspen City Council in 1995 and a campaign for mayor in 1997.

Mr. Speaker, I am proud to stand before this body of Congress today to pay tribute to Max Marolt for his devotion to his family, dedication to his community, and numerous athletic achievements. Citizens like Max provide the spirit and strength of character that made this nation great. While he will be dearly missed, we can all take solace in the knowledge that Max's spirit lives on through those whom he has touched.

CONGRATULATIONS TO TREE OF LIFE MISSIONARY BAPTIST CHURCH IN GARY, IN

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. VISCLOSKY. It is with great honor and enthusiasm that I congratulate the Tree of Life Missionary Baptist Church in Gary, Indiana, as they celebrate their 24th anniversary. During the month of September, Tree of Life Missionary Baptist Church will be celebrating their anniversary on three different occasions. The celebration will kick off on September 6 with a balloon release and a barbeque, followed by a banquet on September 12, and a culmination of the anniversary celebration on September 21.

The vision of Tree of Life Missionary Baptist Church began on July 23,1979 at the home of Mr. and Mrs. James Ervin, along with Reverend Cato Brooks and many others. In August of 1979, the church was organized as the Tree of Life Mission and worship began with Reverend James Barnett, Jr., and Greater Harvest Missionary Baptist Church. Then in September of 1979, the Tree of Life Mission became the Tree of Life Missionary Baptist Church and incorporated a council of various religious ministers from other local churches. When the doors opened to the new church, 28 parishioners came together in worship service, and shortly after Rev. Brooks was named Pastor.

Tree of Life quickly grew in numbers and began to reach out to the community by constructing an alcohol and drug addiction program through the Alcohol Center at St. Mary's Mercy Hospital. The church and Rev. Brooks were strong initiators for the New Beginning AA program in the community as well as the West 11th Avenue AA program. In June of 1984, Rev. Brooks appointed Rev. Hunter Griffin, III as the church's Jail and Outreach Minister, and he reached out to over 650 inmates through prayer services at the Lake County Jail in Crown Point, Indiana.

On February 5, 1991, the Tree of Life Missionary Baptist Church received high commendation from the City of Gary for all of its efforts to serve, educate, and support the local community. In July of 1991, the Southern Baptist State Convention Home Mission Board awarded the Tree of Life with a certificate of outstanding performance in Christian Service.

After years of hard work and commitment to the community and church, Rev. and Mrs. Cato Brooks and the members of Tree of Life started the Tree of Life Community Development Corporation and Care Center. This center is a spiritual approach to healing and helping the residents of Gary and Northwest Indiana, which began through the establishment of their first two programs: the Rehabilitation of Housing under the Homeless Initiative and Transitional Housing. New programs were later added and include the 21st Century Parents Program, the Misguided Youth and First Offenders Program, and the Homeless Initiative Programs.

Mr. Speaker, I ask that you and my other distinguished colleagues, join me in honoring and congratulating Tree of Life Missionary Baptist Church on their 24th anniversary. They have given selflessly to the Gary community, as well as all of Northwest Indiana, and will continue to serve and support all members of the community through their gracious dedication and commitment.

RECOGNIZING JAMES RILEY TITUS BOND FOR HIS ACHIEVEMENTS AS AN INTERN ON MY STAFF

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Mr. James Riley Titus Bond, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in national government.

Titus is a recent graduate of Rockhurst High School and will be continuing his education at Catholic University in Washington, DC. He has distinguished himself as an intern in my campaign office by serving the great people of the 6th District of Missouri. Through this internship, Titus has had the opportunity to observe firsthand the inner workings of National Government and campaign organization and has gained valuable insight into the process by which campaigns are run.

During his time as an intern in my office, Titus has successfully demonstrated his abilities in the performance of such duties as planning events, assisting in Lincoln Days, and assuming various other responsibilities to make the office run as smoothly as possible.

Mr. Speaker, I proudly ask you to join me in commending Mr. James Riley Titus Bond for his many important contributions to the U.S. House of Representatives during the current session, as well as joining with me to extend to him our very best wishes for continued success and happiness in all his future endeavors.

HONORING JAY RUSSEL

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to honor Jay Russel, a constituent in my Fifth Congressional District. Mr. Russel was recently named the 2003 Levy County Fish and Wildlife Conservation Commission Officer of the Year by his colleagues and superiors and I want to take this opportunity before this body to honor him and to say a few words about why he is deserving of this noble distinction.

Mr. Russel, has patrolled the woods and waterways of Levy, Citrus and Dixie County for more than three years, giving him a one-of-a-kind knowledge of Florida's Nature Coast and enabling him to be an excellent Conservation Commission Officer. Often coming to the aid of boaters in distress, his efforts have resulted in successful rescue and recovery missions and his ''sixth sense'' for detecting law violators has allowed many recreational sportsmen to continue to enjoy Florida's wetlands safely and lawfully.

Mr. Russel has been described by his colleagues as an outstanding officer with an immense knowledge of the outdoors and of the region he patrols. Area police departments and law enforcement agencies often rely on him for help in investigating illegal activity in the area and know they can count upon his support at any time.

He is truly an asset in every way to his colleagues and to the Florida Fish and Wildlife Commission. His superiors have said that he ''exemplifies what the agency stands for—a commitment to protecting wildlife resources and to serving and protecting citizens enjoying Florida's outdoors.''

Mr. Speaker, I ask you and my colleagues to join me in saluting Mr. Russel and all officers of the Florida Fish and Wildlife Conservation Commission. The work they do is invaluable and of immeasurable importance to our environment, to area wildlife and to our safety.

A SPECIAL TRIBUTE TO MILLIE COX FOR HER YEARS OF SERVICE

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. BURTON of Indiana. Mr. Speaker, I rise today to honor Millie Cox on her retirement from the Indiana Credit Union League, and to congratulate her for her many years of dedicated and tireless service.

Over the years, Millie has displayed an indomitable spirit in her work and efforts on behalf of Indiana's credit unions. She has taken time to educate and encourage credit union leaders about the legislative process and the importance of political participation. Clearly, Millie's passion for her work on behalf of Indiana's credit unions bespeaks her monumental efforts here in Washington D.C.

Millie Cox's impressive career began in February 1977, when she joined the staff of the Indiana Credit Union League. She was promoted several times, ultimately rising to Vice President of Governmental Affairs in 1986. Millie and her staff have been responsible for analyzing regulations and legislation, as well as serving as liaison between credit unions, regulatory agencies, and other government entities.

On a personal note, Millie is a long-time Hoosier, having grown up in the New Castle area with her two brothers and three sisters. She has one son, Curt, and was married for more than twenty years to her late husband Jim. Millie and I share a great interest in history and reading in addition to our Hoosier roots.

Millie Cox's dedication to her career is evident in her own words as she states that ''I believe in credit unions, I love what I do and I can't imagine working in any other industry.'' Millie, I congratulate you and wish you all the best. Capitol Hill won't be the same without you.

HONORING RON GIBSON

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. McINNIS. Mr. Speaker, I rise before this body of Congress today to pay tribute to an inspiring veteran in Grand Junction, Colorado. Despite being confined to a wheelchair, Ron Gibson continues to set unprecedented athletic standards and win numerous medals in national competitions. I have great pride as I rise today to recognize Ron's athletic achievements and his service to our nation.

Ron began competing in the National Veterans Wheelchair Games 15 years ago. After participating in the Winter Sports Games in Grand Junction, Colorado in 1988, Ron fell in love with the area and subsequently relocated there. He has since lost track of the number of medals he has won, recently adding another four at the 23rd annual games in California. Each veteran who competes carries with him an inspirational story of dedication and perseverance. Ron is no exception, and I am proud to recognize his many accomplishments. All those who participate in the National Veterans Wheelchair games are military veterans who have spinal cord injuries or other disabilities that require wheelchairs.

Mr. Speaker, Ron Gibson embodies the courage and strength of spirit that have made our nation strong. I commend him for his service and all of his recent accomplishments. Congratulations, Ron. I wish you all the best with your future endeavors.

CONGRATULATIONS TO SAINTS CONSTANTINE AND HELEN GREEK ORTHODOX CHURCH

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and enthusiasm that I recognize and congratulate Saints Constantine and Helen Greek Orthodox Church in Merrillville, Indiana on their 90th anniversary. Throughout its 90 years, Saints Constantine and Helen Greek Orthodox Church has provided a welcoming worship and gathering space for all residents of Northwest Indiana.

SS Constantine and Helen and its forefathers began their foundation in Gary, Indiana in 1906 in the dream of preserving the Greek heritage and faith in America. The first steps to making this dream a reality began in the spring of 1911, when an initial meeting was held to discuss the need for a worship space

for the small handful of Greek families that settled in Northwest Indiana. The name was later chosen to signify the importance of Saint Constantine, the Roman Emperor who permitted the freedom of practicing Christianity in the Fourth Century, as well as Saint Helen, Saint Constantine's mother, in their fight for the preservation of their heritage and Greek culture.

In 1913, the first worship services were held in a rented store building, and SS Constantine and Helen became the first Greek Church in the City of Gary. Following two years of leadership by visiting priests from Chicago, Reverend Nicholas Mandilas became the first permanent pastor for the church. In 1919, after years of traveling around the Midwest searching for financial help, and worshiping in tents in the dead of winter, the congregation's valiant and dedicated efforts led them to the opening of their first church building on Easter Sunday. Approximately 50 years later, another church building was constructed in Merrillville, Indiana and the Cultural Center was opened to the residents of Northwest Indiana.

Being a member of the American Hellenic Educational Progressive Association (AHEPA), Lodge 78, I am a strong advocate for the preservation and promotion of the ideals and morals of Hellenism throughout all of Northwest Indiana. Throughout its 90 years of service and dedication, Saints Constantine and Helen Greek Orthodox Church has offered the inspiration to be good citizens of the community, practice faith freely, and educate our youth so that the Greek heritage may never be forgotten.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in honoring and congratulating Saints Constantine and Helen Greek Orthodox Church as they celebrate their 90th anniversary. Their sincere dedication and devotion to the residents of Northwest Indiana deserves the highest commendation and recognition.

RECOGNIZING MEGAN LEFEVOUR FOR HER ACHIEVEMENTS AS A MEMBER OF MY STAFF

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Megan Lefevour, a very dedicated and enthusiastic member of my Washington D.C. Congressional Staff.

Meg has served my office for nearly two years, as well as serving as an intern for the Speaker of the House HASTERT. As a Staff Assistant, Systems Administrator, Legislative Correspondent, and Legislative Assistant, she has established a passion for working on the Hill. Meg holds dear the people she has worked with in her many roles as a Hill staffer.

I, and others, greatly value Meg's hard work and commitment. Constituents have grown to know her attention to detail, knowledge of many issues, and personal touch that should not go unrecognized. Her dedication to the Sixth District of Missouri has shown through over the past two years, which is evident by the appreciation of all she works with.

It is unfortunate for countless people that Meg will be leaving the Hill, as she has left her unique stamp on many. I, as well as my office, wish Meg the very best in her future career with education and wish her and Chris all the happiness in their life together.

Mr. Speaker, I proudly ask you to join me in commending Megan Lefevour for her many important contributions to myself, my staff, all those she has worked with on the Hill, and for all those she has served. She will be missed by many.

HONORING ROBERT A. BOWERS

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to honor Robert A. Bowers, a constituent of my Fifth Congressional District. Deputy Bowers, an honorable officer of the law, was recently named the 2003 Levy County Law Enforcement Officer of the Year by his colleagues and superiors and I want to take this opportunity before this body to honor him and to say a few words about why he is deserving of this important distinction.

Deputy Bowers has served the Levy County Sheriff's Office since October of 2001 as an officer in the Road Patrol Division and has been active in the ''Buckle Up'' program, ensuring safety on our highways by enforcing our state's seatbelt and child-restraint laws.

Deputy Bowers has been described by his colleagues as someone with a cheerful and professional demeanor, no matter what the situation or task at hand. His service to Levy County is in its early days and I believe he will continue to be an asset to the Levy County Sheriff's Office for many years to come.

Having law enforcement officers like him is what makes our roadways and communities safe and it is what inspires youngsters to continue in the profession of noble, honorable service to their neighbors.

Mr. Speaker, I ask you and my colleagues to join me in saluting Deputy Bowers and all officers of the law, for the work they do is invaluable and of immeasurable importance to our society and to our safety.

PERSONAL EXPLANATION

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. BURTON of Indiana. Mr. Speaker, due to excessive flooding in North Central, Central and South Central portions of Indiana, I was unable to be in Washington during rollcall vote Nos. 460–462. Had I been here I would have voted ''aye'' for rollcall vote Nos. 460–462.

TRIBUTE TO STEVE SHERWOOD

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. McINNIS. Mr. Speaker, I am honored to stand before this Congress and this nation to pay tribute to an outstanding public servant from my district, Steve Sherwood. Steve is the Deputy Forest Supervisor in the White River National Forest who works hard to protect and maintain our beloved natural areas. Steve's service throughout the country has helped keep our national forests open to everyone, providing a variety of users with access to recreation.

Steve came to the White River National Forest in 2000, moving from Washington D.C. to be part of the wilderness that he loves. He spends most of his time overseeing the White River's wilderness, recreation, and heritage programs. As an outdoorsman, Steve has a better understanding of the needs of our forests; he is often fishing and biking throughout the lands he protects.

When Steve is not at work protecting our public lands, he is at home with his wife Carolyn and his two children William and Jessica. Steve works hard in the hope that his children will have forests and wilderness areas to enjoy many years after he has gone.

Mr. Speaker, I am proud to recognize Steve for his dedication, and it gives me great joy to inform this body of Congress and this nation of his hard work and devotion at the U.S. Forest Service. Thank you, Steve, for your hard work and dedication. Your commitment and involvement in our national forests will not be forgotten.

CONGRATULATIONS TO MR. HANK STRAM

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. VISCLOSKY. It is with great joy and enthusiasm that I wish to congratulate Mr. Hank Stram on his induction into the Pro Football Hall of Fame. Hank Stram's path to football greatness began many years ago when he was an athletic standout at Lew Wallace High School in Gary, Indiana earning all-state honors as halfback. On Sunday, August 3, 2003, Hank Stram received the ultimate honor with his induction into the Pro Football Hall of Fame in Canton, Ohio.

After graduating from Lew Wallace High School, Stram attended Purdue University on a football scholarship. He earned four letters in baseball and three in football for the Boilermakers. His collegiate career was interrupted for three years of military service in World War II. During his senior year at Purdue, Stram received the coveted Big Ten Medal that is awarded to the conference athlete who best combines athletics with academics.

Immediately upon graduation in 1948, Stram joined Purdue's football coaching staff. He served 12 years as an assistant on the collegiate level, with stops at Southern Methodist, Notre Dame and Miami (Florida).

In 1960 he was named head coach of the Dallas Texans in the new American Football League. The rest is history. Stram guided the Texans to the AFL championship in 1962 and the team then moved to Kansas City and became the Chiefs. In Kansas City, Stram led the Chiefs to the 1966 and 1969 AFL Championships.

His 1966 Kansas City team played in the first Super Bowl, losing to the Green Bay

Packers. The highlight of Stram's illustrious coaching career came on January 11, 1970, when the Chiefs defeated the Minnesota Vikings, 23–7, in Super Bowl IV. He also led the Chiefs to playoff appearances in 1968 and 1971.

Strarn coached 17 years in professional football and had a career won-lost-tied record of 136–100–10. His victory total is 11th on the all-time NFL coaches list. He finished his career with 2 seasons, 1976 and 1977, as head coach of the New Orleans Saints.

Hank Stram was known by his players and colleagues as being a truly innovative coach with ideas that inspired and motivated his players and all those who had the opportunity to work with him throughout his career. At the age of 80, Stram continues to provide motivation for area athletes. Every year, the Silver Bell Club, Lodge 2365 of the Polish National Alliance of the United Slates, hosts its Hank Stram—Tony Zale Sports Award Banquet to honor young athletes in Northwest Indiana.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in commending and applauding Hank Stram, a true sports hero who has achieved greatness. His lifetime of devotion to his players, fans, and family will truly be celebrated and remembered.

RECOGNIZING DANIEL T. GRIFFEN FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Daniel Tyler Griffen, A Very Special Young Man Who Has Exemplified the Finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and in earning the most prestigious award of Eagle Scout.

Daniel has been very active with his troop, participating in many scout activities. Over the 10 years he has been involved in scouting, he has earned 31 merit badges. Additionally, Daniel has held numerous leadership positions in his troop, serving as Den Chief and Troop Guide. Daniel also has been honored for his numerous scouting achievements with such awards as the Arrow of Light Award and Fire Builder in the Tribe of Mic-o-say.

For his Eagle Scout project, Daniel led a group of teens and adults in the cataloguing of about 300 graves in the Little Shoal Cemetery. The catalogue was then donated to the Clay County Archives for the use by the general public.

Mr. Speaker, I proudly ask you to join me in commending Daniel Tyler Griffen for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING DANIEL ANTIS

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to honor Corporal Daniel Antis, a constituent of mine residing in Levy County in my Fifth Congressional District. Corporal Antis, a hard-working corrections officer, was recently named the 2003 Levy County Corrections Officer of the Year by his colleagues and superiors and I want to take this opportunity before this body to honor him and to say a few words about why he is deserving of this noble distinction.

Corporal Antis began his career as a corrections officer in 1999 and came to work for the Levy County Sheriff's Office Jail Division in September of last year.

Corporal Antis has been described by his colleagues as someone with a quiet but professional demeanor, and his arduous work and drive have not gone unnoticed by his peers. His ambition and ''can-do'' attitude won him the promotion to his current position as a corporal only 7 months after joining the Levy County Corrections team.

He is truly an asset in every way to his colleagues and to the Levy County Sheriff's office.

Mr. Speaker, I ask you and my colleagues to join me in saluting Corporal Antis and all officers of the law, for the work they do is invaluable and of immeasurable importance to our society and to our safety.

TRIBUTE TO SUE O'BRIEN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. MCINNIS. Mr. Speaker, it is with a solemn heart that I rise today before this body of Congress to honor the memory of a great citizen. Sue O'Brien passed away peacefully on August 6, 2003 after battling cancer. Sue was the respected and well-liked editor of The Denver Post's opinion page and a long time figure in public policy. As Colorado and the larger community mourn her passing, I would like to pay tribute to her memory.

Sue was born on March 6, 1939 in Iowa, settling in Denver with her first husband, Jim Hautzinger, and their children in 1961. Sue was a stay-at-home-mom who was busy with the League of Women Voters, Young Democrats, and the drive for school desegregation and fair housing.

Sue began her career in the media in 1968 when she reported on the riots at the Democratic National Convention in Chicago for KTLN/KTLK-AM radio. Through the years, Sue worked as an anchor and political reporter for local and national television and radio. Sue was a pioneer for women in news management when, in 1976, she became the news director for KOA-TV and radio in Denver. In 1995, Sue became the head of The Denver Post opinion page. She took her job very seriously and gave great thought to everything that crossed her desk. Sue was always fair and always forthright, and her colleagues respected her ability and integrity.

Politicians in both parties respected Sue as well. She worked for two governors and was routinely consulted by Republicans and Democrats alike. Sue painstakingly examined every issue and always gave her honest and candid opinion. On a personal level, I hold Sue in high regard. I always enjoyed speaking with her about the issues of the day, and several years ago, Sue was my personal guest in the House gallery for the President's State of the Union Address. She had a strong set of values and cared deeply about helping people, qualities that will be sorely missed.

Mr. Speaker, Sue O'Brien was a person whose hallmark was fairness and integrity. She was a committed idealist who worked every day to make the world a better place. Sue had great love for her family and tremendous pride in the accomplishments of her children. She was a master journalist who never faltered in her attention to detail. Sue O'Brien was a great American, a great journalist, and, most importantly, a great person. I join with my colleagues today in honoring her memory and her life.

AMENDING TITLE XXI OF THE SOCIAL SECURITY ACT REGARDING THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM

SPEECH OF

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2003

Mr. TAUZIN. Mr. Speaker, the House will unanimously pass a bi-partisan bill, H.R. 2854, which will dramatically improve uninsured children's access to health care. This bill reflects a compromise negotiated with the other Chamber, which is supported by Senators GRASSLEY and BAUCUS, along with Health Subcommittee Chairman MIKE BILIRAKIS, and Ranking Members JOHN DINGELL and SHERROD BROWN.

H.R. 2854 will provide states with $2.7 billion to fund their SCHIP programs. The State Child Health Insurance Program is an extremely successful program that has enabled states to provide health coverage to over 5 million previously uninsured children. Under SCHIP each states gets a specified annual allotment of Federal dollars to be used to pay for children's health care, which the state can draw on for up to three years.

Due to initial delays that many states encountered in establishing their SCHIP programs, significant percentages of several states' allotments from fiscal years 1998 through 2001 have gone unused. H.R. 2854 will allow these states to retain a portion of these funds to enable them to provide additional coverage to uninsured children. Under H.R. 2954, states will be able to retain fiscal year 1998 and 1999 reallocated funds through the end of fiscal year 2004 and allows states to retain 50 percent of their unspent allotments for fiscal years 2000 and 2001.

In addition, the bill also allows ten states that had been unable to spend all of their SCHIP allotments because of high Medicaid income eligibility levels to use up to 20 percent of their SCHIP allotments to pay for providing coverage for eligible children.

RECOGNIZING CHULA MORI

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. THOMPSON of California. Mr. Speaker, it is, with a heavy heart that I rise today to pay

tribute to Chula Mori, who died at St. Helena Hospital in Angwin, California, March 28, 2003. Chula, a treasured member of Napa County, California, died at the age of 55 after a courageous battle with cancer. Chula was diagnosed with breast cancer 21 years ago, and then in June 2002, with brain, liver and lung cancer.

As Head Teacher in the Napa County Office of Education's Napa Child Development Center, Chula dedicated her life to educating young children. An extraordinary teacher and a kind-hearted, loving person, Chula was also someone her students could trust and depend on. One of her great joys was when former students, grown with children of their own, would rush up to give her hugs when they would run in to her out in the community.

Many of the students enrolled in the Napa Child Development Center come from broken homes and disadvantaged circumstances. Though just preschoolers, Chula's students often carried the weight of neglect and discouragement on their small shoulders. Often, Chula's class served as a port in the storm. She made her students feel safe, loved and appreciated.

For over 27 years Chula educated the kids in our community. Yet, ironically, I believe the greatest lessons she taught may have been outside the classroom. Lying in a hospital bed at St. Helena Hospital in Angwin, California, Chula was an incredible example to her friends and loved ones of how to live and how to die with dignity.

Mr. Speaker, Chula's influence is easily seen throughout our community. Whether on the faces of her own two children and three grandchildren or in the hearts of countless former students, Chula's impact can never be erased nor will it fade. Those of us who knew her well are better because we knew her well. For these reasons and countless others it is appropriate at this time that we recognize and honor Chula Mori, who lived her life as a blessing to others.

TRIBUTE TO JOHN AND CARMEN ROSA ON THEIR 50TH WEDDING ANNIVERSARY

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. SERRANO. Mr. Speaker, I rise today to pay tribute to John A. Rosa and Carmen T. Rosa who celebrated their 50th wedding anniversary on August 22nd 2003. I take great pride in honoring these two remarkable individuals for their enduring dedication to one another and to the community in which they reside.

Mr. Rosa was born on September 7, 1929, in New York City and his wife Mrs. Rosa was born May 17, 1936. They were married on August 22, 1953, at St. John Chrysostom in the Bronx. Mr. Rosa, a Korean War Veteran, worked with the Art Steele Company in the Bronx, first as purchasing manager and later as export manager before retiring in 1985. In addition to being a devoted housewife and mother, Mrs. Rosa worked in the healthcare industry primarily in the area of patient care. She also made time to be an active member of the Parent Teacher Association at P.S. 59 and 69.

Mr. Speaker, this union that began 50 years ago has brought about nine lives spanning two generations. The Rosas have four children including Manuel; Vivian, Teresa and Sally. In addition, they are now the proud grandparents of Jonathan, Michael, Justin, Andres and Adrianna.

Marriage is no easy feat. It is a union that demands commitment and sacrifice from both parties if it is to succeed. The Rosas' ability to make this union last for 50 years is quite remarkable and demonstrates the strong love they possess for one another.

Mr. Speaker, I ask my colleagues to join me in honoring Mr. and Mrs. John A. Rosa on their 50th anniversary and in wishing them many more years together.

TRIBUTE TO STAFF SGT. MARK LAWTON

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. MCINNIS. Mr. Speaker, it is with a heavy heart that I stand before this body of Congress and this nation to pay tribute to the life of a brave citizen from my district. Army Staff Sergeant Mark Lawton of Hayden, Colorado was taken from us while serving his country in Iraq. His sacrifice for this grateful nation will not be forgotten. I am truly humbled to honor him here before you today.

As a young man, Mark was an excellent athlete and ran track for Moffat County High School. Prior to his service with the Army Reserves, Mark spent 14 years in the Marine Corps, serving in the first Gulf War. In his civilian life, Mark worked for a local coal company as a heavy equipment operator. Most importantly, he was a family man who leaves behind a wife and two sons. While his family's feelings of loss and sorrow are deep, they can take solace in the fact that Mark died in the service of the people and ideals of our nation.

Mr. Speaker, I cannot fully express my deep sense of gratitude for Mark's sacrifice and that of his family. Staff Sergeant Lawton displayed the strength of character and loyalty to his country that makes America and its citizens great. Throughout our history, men and women in uniform have fought for our freedom with distinction and courage. At the dawn of this new century, the United States military has once again been called upon to defend our freedom against a new and emerging threat. Mark has done all Americans proud, and I know he has the respect and admiration of all of my colleagues here today. He will be truly missed.

HONORING DR. JAMES POTTS, PH.D.

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. TANNER. Mr. Speaker, I rise today to honor Dr. James Potts, who has dedicated his life to educating those around him. He is now celebrating an extraordinary milestone, his 50th year of teaching. Much of that time has been spent teaching at Bethel College in McKenzie, Tennessee.

Jim served his country in the United States Navy during World War II, then took the opportunities available to him through the G.I. Bill to earn his degree. In 1953, Jim began his teaching career at Grayville High School in Illinois, where he taught until 1955.

In the fall of 1955, Jim enrolled in Peabody College, now part of Vanderbilt University, where he earned his Ph.D., while also teaching at Belmont University in Nashville. After finishing his course work in 1957, Jim joined the faculty at Eastern Kentucky State University. After leaving Kentucky in 1961, Jim joined the staff at the University of Virginia, where he taught until 1964.

That year, Jim married his wife Carolyn and, realizing the difference he could make at a smaller institution, began his tenure at Bethel College. Having taught there for almost 40 years now, Jim has the longest continuous service record among Bethel faculty members. He is greatly admired by his colleagues and current and former students for his skillful teaching and his commitment to education and his dedication to Bethel College. Jim has taught many courses at Bethel College, but he is perhaps most admired for his dedication to history, specifically his courses in History of the South, American Economic History and American Political Parties.

Fifty years is an incredible milestone for any teacher to reach, but Jim is not content to end his notable career there. He plans to teach as long as he is able, and I am confident he will continue to touch the lives of many students, as he has done for five decades.

Mr. Speaker, I ask you to join me in honoring an exceptional educator and an outstanding citizen, Dr. James Potts.

PERSONAL EXPLANATION

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. GREEN of Wisconsin. Mr. Speaker, after a review of the votes from July 25, 2003, I noticed I inadvertently voted against the Toomey amendment to H.R. 2859 (Rollcall No. 458). That was a mistake on my part due to my distraction with other legislative business during that particular series of votes. I wish to state for the record that I support the Toomey amendment and wish to be recorded as voting ''aye.''

TRIBUTE TO VORN JAMES MACK

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to the memory of a courageous young man, Private First Class Vorn James Mack of Orangeburg, South Carolina who recently passed away while valiantly serving his country in Iraq.

Vorn Mack was a 2002 graduate of Orangeburg-Wilkinson High School in Orangeburg, South Carolina. While at Orangeburg-

Wilkinson, Mack, an honor student, was taught by one of my staffers who remembers him as being a very intelligent, well mannered and driven young man. While in high school Vorn had a particular interest in computers, mathematics, and serving in the military. His high school guidance counselor said ''he always had an interest in the military, because he wanted to see the world and because his father and sister had careers in the Army.''

Vorn belonged to a family known for its military service and patriotism. Six of his aunts and uncles are military retirees, and five members of his family currently serve, including his older sister Aquanette who is currently stationed in the Middle East.

After his graduation from high school, Vorn enlisted in the United States Army and underwent basic training at Fort Benning, Georgia. After successfully completing basic training, Vorn was sent to Fort Gordon, Georgia where he received advanced infantry training in information systems management. After this training, Vorn was assigned to Fort Carson, Colorado where he served in Headquarters and Headquarters Troop, 1st Squadron, 3rd Armored Cavalry Regiment. Three months after his arrival in Colorado, Vorn and his regiment were deployed to Iraq.

While in Iraq, Vorn belonged to a force assigned to guard the Hadithah Dam, west of Ar Ramadi, Iraq. This dam was crucial to the United States operation because it provided electricity to a large portion of Iraq and was viewed as a possible target for terrorist acts.

In his obituary, Vorn's family stated ''He had no fear, never afraid to accept a challenge, whether it was work, school, or even in the United States Army, Vorn excelled in every aspect of his short life.''

Mr. Speaker, I ask you and my colleagues to join me in this tribute to Vorn Mack for the outstanding service and contribution he provided the Nation, the State of South Carolina and his beloved community of Orangeburg. Vorn will always be remembered for his dedication and commitment to freedom.

HONORING DON MILLER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. MCINNIS. Mr. Speaker, I am honored to rise before this body of Congress and this nation today to pay tribute to a selfless community servant and dedicated coach from Glenwood Springs, Colorado. Don Miller is being inducted into the National High School Athletic Coaches Association's Hall of Fame for his 31 years of outstanding dedication and commitment to the Glenwood Springs Football, Track and Wrestling teams. I would like to join with the National High School Athletic Coaches Association and the Glenwood Springs Community in recognizing Don's accomplishments.

Don is a graduate of Western State College, where he excelled as a member of the football team. He began his career at Glenwood Springs High School in the early 1960's and has remained a loyal member of the faculty ever since, mentoring generations of young GWS athletes.

Don has provided thousands of Glenwood students with a coach and mentor; a man they could respect and learn from. Don's record as a football coach speaks for itself. With 204 wins, 17 appearances in the state tournament, and two state titles, Don is certainly a deserving inductee. Don is known for his ''old school'' form of coaching; he was a hard-nosed, in-your-face type of coach who expected a ''never give up'' attitude from his players. Don will be the twelfth coach from Colorado to be inducted into the Hall of Fame, and was the fifth coach to reach the 200 win landmark.

Mr. Speaker, I join with my colleagues in applauding Don's service to Glenwood Springs High School. This recognition is long overdue, and I am proud to recognize him here today. Congratulations, Don, on this prestigious honor; you have made Colorado and the Glenwood community very proud.

CONGRATULATING THE SAUGUS AMERICANS

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. TIERNEY. Mr. Speaker, I rise today to honor the Saugus American Little League team for their outstanding achievement in the 2003 Little League World Series. From their district championship to the U.S. Championship game, this terrific team captured the hearts of the town of Saugus and, over the past few weeks of summer, all of New England.

This is a team whose unique skill was equaled only by their flair for the dramatic. Saugus' first four victories in the Series were by one run. We will long remember their epic victory against Texas East's Lamar National, when Saugus rallied, scoring four runs in the bottom of the seventh inning, to advance to the U.S. championship. These boys were only the second team in Massachusetts' Little League history to advance to the U.S. title game.

Most impressive is the manner in which this team conducted themselves throughout their time in Williamsport, Pennsylvania. They acted with maturity beyond their years. Working hard, playing fair, and never, ever giving-up, the Saugus Americans—Ryan Bateman, Tyler Calla, Craig Cole, Anthony DiSciscio, David Ferreira, Tyler Grillo, Joseph Kasabuski, Matthew Muldoon, Sebestiano ''Yano'' Petruzzelli, Dario Pizzano, Mark Sacco, and Michael Scuzzarella—were a model team and excellent representatives of their hometown.

Saugus Manager Rob Rochenski and coaches, Mike Ferreira, Rob Calla, and Charlie Bilton must also be commended for their professionalism, their positive rapport with the players, and the countless hours they invested in this team. They rightfully recognize that Little League baseball should be about having fun, and it is clear they instilled that in this Saugus team.

A special thanks needs to be extended to the parents, family members, and friends of this team, many of whom traveled to Williamsport, donned orange jerseys, and vocally supported their Saugus Americans.

It is appropriate that the House recognize the remarkable performance of the Saugus Americans. I am proud of their accomplishments, and wish them the best of luck in the future.

TRIBUTE TO MOTHER TERESA

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. STEARNS. Mr. Speaker, Mother Teresa, winner of the Nobel Peace Prize, was born on August 27, 1910 and died in 1997 after a lifetime of devotion to the poor. Born Agnes Gonxha Bojaxhiu in 1910 in Skopje, Yugoslavia, she joined the Sisters of Loreto in 1928. She took the name ''Teresa'' after St. Teresa of Lesiux, patroness of the Missionaries.

In 1948, she encountered a half-dead woman lying in front of a Calcutta hospital. She stayed with the woman on the street until her death. From that point on, she dedicated the majority of her life to helping the poorest of the poor in India, thus gaining her the name ''Saint of the Gutters.'' She founded an order of nuns called the Missionaries of Charity in Calcutta, India, dedicated to serving the poor. Almost 50 years later, the Missionaries of Charity have grown from 12 sisters in India to over 3,000 in 517 missions throughout 100 countries worldwide.

In 1952, she founded the Nirmal Hriday Home for the Dying in a former temple in Calcutta. It was there that she cared for the dying Indians that were found on the streets. Mother Teresa showed the love of Christ to all she met. Whether they were dying of AIDS or Leprosy, she wanted them to die in peace and with dignity. For over 50 years, she worked selflessly in service to the poor. That devotion to the needy won her respect throughout the world and the Nobel Peace Prize in 1979.

For many years, Mother Teresa labored in loving dedication to the sick and dying in India. Her compassion for the suffering knew no boundaries and has served as an inspiration to the world. Mother Teresa was a living saint and since her death has been greatly missed.

HONORING EVA FRANCHI—WIFE OF THE LATE SERGIO FRANCHI

HON. ROB SIMMONS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. SIMMONS. Mr. Speaker, I rise today to honor a member of my community and a revered member of the community of music lovers around the world. I honor Eva Franchi for keeping alive the memory and tradition of her late, great husband, Sergio Franchi and I honor her for her work on behalf of aspiring musicians through the Sergio Franchi Music Scholarship Foundation.

Sergio Franchi was one of the greatest romantic, popular tenors of the 20th Century. This, the 10th anniversary of the memorial concert, fulfills a dream of Eva Franchi's—the dream for romantic classical music to live on through future young tenors and sopranos, so that through them, the memories and music of Sergio can live on.

Over the years, I have attended this wonderful concert many times. I am honored to have Sergio Franchi's memory preserved in my own community of Stonington, Connecticut. Sergio was, and Eva continues to be, a dedicated supporter of the arts. This foundation has been established to continue the dream Sergio had—that is to help fund talented and deserving musicians.

In the 10 years since the foundation's inception, Eva has been able to award more than 120 scholarships and awards to students of vocal studies, young tenors and sopranos, with the hope that through beautiful, romantic classical music, Sergio's spirit may be kept alive.

The great Scottish historian and essayist Thomas Carlyle wrote, ''Music is well said to be the speech of angels.''

Sergio Franchi was born with the gift of music and those of us who have heard him sing know very well what Mr. Carlyle was referring to.

Mr. Speaker, Eva Franchi lives by the commitment of her husband to promote and foster a love of music through young voices of the future. On behalf of the rest of my staff, I wish to express our gratitude to Mrs. Eva Franchi for her devotion to the arts and for her dedication to preserving the memory of her husband through the Sergio Franchi Music Scholarship Foundation.

Eva, speaking for all members of Congress, we thank you for your service to our community, and thank you for your service and dedication to the classical musicians of the future.

TRIBUTE TO CAMP GOOD GRIEF

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. MCINNIS. Mr. Speaker, I rise before this body of Congress and this nation today to pay tribute to an outstanding organization in my district. Camp Good Grief! in Cedaredge, Colorado provides children coping with the loss of a loved one with a place to grieve and interact with other children experiencing similar emotions. The camp's work is invaluable in the lives of its campers, and I am proud to bring it to the attention of my colleagues here today.

Camp Good Grief! offers kids a weekend retreat to help them deal with death, pairing them up with a counselor who provides support in sorting through their feelings. There are approximately forty-five staff counselors who offer companionship and serve as a friend while leading the children in their activities. Throughout the weekend, children participate in various arts and crafts that aim to help them to better cope with their loss and manage the grieving process. Camp Good Grief! invites children in grades three through eight to spend the weekend while also providing a teen retreat for high school aged kids.

Mr. Speaker, I want to thank the people who make Camp Good Grief! possible. Their altruistic pledge to helping kids in their time of need is truly commendable. Dealing with the loss of a loved one is not easy for anyone, let alone a child. This camp does a tremendous service in helping our kids cope with death. I want to recognize them for their commendable service.

THE IMPORTANCE OF NATIONAL SERVICE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. RANGEL. Mr. Speaker, I rise to share an excerpt from an important policy brief published by the Brookings Institute on the meaning of citizenship and national service.

What is our civic responsibility to this land, as people who enjoy the benefits of living in a vibrant democracy? How can we keep the social contract between all segments of society without a shared sense of sacrifice and duty? Authors E.J. Dionne, Jr. and Kayla Meltzer Drogosz provide a good overview of the subject and the importance of this issue to the future success of this country.

THE PROMISE OF NATIONAL SERVICE: A (VERY) BRIEF HISTORY OF AN IDEA

(By E.J. Dionne, Jr. and Kayla Meltzer Drogosz)

THE SERVICE IDEA AND THE AMERICAN EXPERIMENT

Divisions over the meaning of service are rooted deeply in our history. When the United States was founded, liberal and civic republican ideas jostled for dominance. The liberals—they might now be called libertarians—viewed personal freedom as the heart of the American experiment. The civic republicans valued freedom, too, but they stressed that self-rule demanded a great deal from citizens. The liberals stressed rights. The civic republicans stressed obligations to a common good and, as the philosopher Michael Sandel has put it in his book, Democracy's Discontents, ''a concern for the whole, a moral bond with the community whose fate is at stake.'' In our time, the clash between these older traditions lives on in the intellectual wars between libertarians and communitarians. On national service, libertarians lean toward skepticism, communitarians toward a warm embrace.

America has changed since September 11, 2001. Respect for service soared as the nation forged a new and stronger sense of solidarity in the face of deadly enemies. What has been said so often still bears repeating: our view of heroes underwent a remarkable and sudden change. The new heroes are public servants—police, firefighters, rescue workers, postal workers whose lives were threatened, men and women in uniform—not the CEOs, high-tech wizards, rock stars, or sports figures who dominated the 1990s. At a time when citizens focus on urgent national needs, those who serve their country naturally rise in public esteem. Robert Putnam, a pioneer in research on civic engagement, captures the post-9/11 moment powerfully. He argues that because of the attacks on the World Trade Center and the Pentagon—and the courage shown by those on the plane that went down over Pennsylvania—''we have a more capacious sense of 'we' than we have had in the adult experience of most Americans now alive.''

SEPTEMBER 11 AND THE SERVICE IDEAL

Accordingly, the politics of national service were also transformed. Even before September 11, President Bush had signaled a warmer view of service than many in his party. In choosing two Republican supporters of the idea—former Mayor Steve Goldsmith of Indianapolis and Leslie Lenkowsky, CEO of the Corporation for National and Community Service—to head his administration's service effort, Bush made clear he intended to take it seriously.

After September 11, service became a stronger theme in the president's rhetoric. In his 2001 State of the Union message, he called on Americans to give two years of service to the nation over their lifetimes and announced the creation of the USA Freedom Corps. It was a patriotic, post-September 11 gloss on the old Clinton ideas—and the ideas of John F. Kennedy, Lyndon B. Johnson, and Bush's father, the first President Bush, who offered the nation a thousand points of light.

There is also a new acknowledgment across the political divides that government support for volunteers can provide essential help for valuable institutions that we too often take for granted. It is easy for politicians to talk about the urgency of strengthening ''civil society.'' But through AmeriCorps and other programs, the government has found a practical (and not particularly costly) way to make the talk real. Paradoxically, as the journalist Steven Waldman points out, AmeriCorps, a Democratic initiative, fit neatly with the Republicans' emphasis on faith-based programs. Democrats accepted the need to strengthen programs outside of government; Republicans accepted that voluntary programs could use government's help. This interplay between government and independent communal action may be especially important in the United States, where powerful and intricate links have always existed—long before the term ''faith-based organizations'' was invented—between the religious and civic spheres.

That national service has become a bipartisan goal is an important achievement. It is reflected in the White House's Citizen Service Act and in bills cosponsored by, among others, Senators John McCain (R-Ariz.) and Evan Bayh (D-Ind.). Sen. John Kerry (D-Mass.) has made an ambitious service proposal a centerpiece of his presidential campaign. These legislative ideas mirrored the spirit of the moment. As Marc Magee and Steven Nider of the Progressive Policy Institute reported a year ago, in the first nine months after September 11 applications for AmeriCorps jumped 50 percent, those for the Peace Corps doubled, and those for Teach for America tripled. Yes, a difficult private economy certainly pushed more young Americans toward such public endeavors. Nonetheless, their choices point to the continued power of the service idea.

CITIZENSHIP AND SERVICE

Citizenship cannot be reduced to service. The good works of faith communities and the private sector—or ''communities of character,'' as President Bush has called them—cannot replace the responsibilities of government. Service can become a form of cheap grace, a generalized call on citizens to do kind things as an alternative to a genuine summons for national sacrifice or a fair apportionment of burdens among the more and less powerful or wealthy. But when service is seen as a bridge to genuine political and civic responsibility, it can strengthen democratic government and foster the republican virtues. Lenkowsky made this connection when he urged attendees at a Corporation for National and Community Service conference to turn ''civic outrage into civic engagement'' by increasing the reach and effectiveness of volunteer programs. No one can dispute visionaries like former Senator Harris Wofford, chairman of America's Promise, and Alan Khazei, cofounder and CEO of City Year, who have shown how AmeriCorps, VISTA, Senior Corps, and Peace Corps have transformed communities. But Paul Light of Brookings questions whether this transformation is sustainable. Can episodic volunteerism build the capacity and effectiveness of public and nonprofit organizations?

Will the new respect for service make government bashing less satisfying as a hobby? It is possible, but not likely.

Underlying the debate over national service is an argument over whether service is necessary or merely ''nice.'' If service is just a nice thing to do, it's easy to understand the strong reservations about government-led service programs from critics such as Bruce Chapman who, in 1966, wrote The Wrong Man in Uniform, one of the earliest calls for a volunteer military.

But service has the potential to be far more than something nice.

Will Marshall and Marc Magee of the Progressive Policy Institute argue that the service idea could be a departure comparable to breakthroughs in earlier eras toward a stronger sense of citizenship. ''Like settlement houses and night school, which helped America absorb waves of immigration,'' they write, ''national service opens new paths of upward mobility for young Americans and the people they serve. And, like the G.I. Bill, national service should be seen as a longterm investment in the education, skills, and ingenuity of our people.''

Service, then, is not simply a good in itself, but a means to many ends. It creates bridges between groups that have little to do with each other on any given day, and as the New Left's Port Huron Statement put it forty years ago, draws citizens ''out of isolation and into community.'' Michael Brown, the co-founder of City Year, says service can activate ''people's justice nerve,'' creating a thirst for social improvement. It could foster civic and political participation in a society that seems not to hold public service in the highest esteem.

But this very plurality of ends creates a certain skepticism about service. If it offers something for everyone, how serious can the idea really be? Michael Lind, a senior fellow at the New America Foundation, is right when he says that ''within the small but vocal community of national service enthusiasts, there is far more agreement on the policy of national service than on its purpose.'' In the post-September 11 environment, he argues that the one compelling case for citizen service would rest on the need to expand the nation's capacity to prepare for and respond to domestic emergencies, notably those caused by terrorism.

ANSWERING THE CALL TO SERVICE

However one conceives of service, surely one of its ends—or, at least, one of the ends that wins the broadest assent—is the urgency of finding new ways to engage young Americans in public life after a long period of estrangement. In his 2000 campaign, Sen. McCain—initially a skeptic of national service, now a strong supporter—won a wide following among young people by urging them to aspire to things ''beyond your own self-interest.'' Many surveys suggest that young Americans are deeply engaged in civic activity. One by Harvard's Kennedy Institute of Politics in October 2002 found that 61 percent of its national sample of undergraduates reported performing some form of community service in the past year. And as Paul Light has shown in a new survey, liberal arts college graduates from the Class of 2003 are eager to find jobs that provide opportunities to help people. However, when they hear the phrase ''public service,'' they think of the kind of work they see in the nonprofit sector and not in government or politics. If we are to expand young people's understanding of public service, then service learning initiatives in public schools must continue to be linked with a heightened sense of civic responsibility and personal effectiveness.

If the new generation connected its impulses to service with politics, it could become one of the great reforming generations in American history. And service could become a pathway to a stronger sense of citizenship. As the columnist Jane Eisner argues, service ''must produce more than individual fulfillment for those involved and temporary assistance for communities in need.'' It should, she says, ''lead to an appetite for substantive change, a commitment to address the social problems that have created the need for service in the first place.'' Eisner and others have suggested that as a nation, we should celebrate the first vote cast by young people with the same fanfare that greets other moments of passage to adult responsibility. The goal would be to encourage a new generation to make the connection ''between service to the community and participation in the very process that governs community life.''

A focus on the links service forges between the rights and responsibilities of citizenship could offer new ways out of old political impasses. For example, Andrew Stern, the president of the Service Employees International Union, suggests that a two-year commitment to national service could become a pathway for undocumented workers to legalize their status and for legal immigrants to speed their passage to citizenship. Stern also proposes that former felons now denied voting rights might ''earn credits toward restoration of full citizenship'' through service.

At its best, service is not make-work, but what Harry Boyte and Nancy Kari, in their book, Building America, have called ''public work.'' It is work that ''is visible, open to inspection, whose significance is widely recognized'' and can be carried out by ''a mix of people whose interests, backgrounds, and resources may be quite different.'' Service as public work is the essence of the democratic project. It solves common problems and creates common things. Public work entails not only altruism, but also enlightened self-interest—a desire to build a society in which the serving citizen wants to live.

SKEPTICISM, REALISM, HOPE

Service alone cannot build a stronger sense of citizenship. Citizenship is meaningless unless citizens have the power to achieve their goals and to change their communities and the nation. It is thus possible to be skeptical about the new call to service, and it is absolutely necessary to be realistic. Speeches about service can be a convenient way for politicians to call for sacrifice without demanding much of citizens. At little cost to themselves, advocates of both conservative and liberal individualism can use service to shroud their real intentions behind the decent drapery of community feeling.

William Galston, a scholar who has devoted years of energy to promoting research and action to excite young Americans to public engagement, worries that the failure to link post-September 11 rhetoric about service to actual calls for civic action could lead to the very sort of cynicism service advocates decry.

''Would Pearl Harbor have been a defining event if it had not been followed by a national mobilization and four years of war that altered the lives of soldiers and civilians alike?'' Galston asks. ''In the immediate wake of September 11, the administration's failure to call for any real sacrifice from citizens fortified my belief that the terrorist attack would be the functional equivalent of Pearl Harbor without World War II, intensifying insecurity without altering civic behavior.''

Theda Skocpol, another wise student of American civic life, sounds an equally useful warning. ''Absent organizational innovations and new public policies,'' she writes, ''the reinvigorated sense of the American 'we' that was born of the travails of 9/11 may well gradually dissipate, leaving only ripples on the managerial routines of contemporary U.S. civic life.'' In fact, as Skocpol and Galston suggest, mere exhortation to serve will do little to foster public—and especially political—participation if too many citizens see the public realm as broken.

The issue of whether Americans have been called to any real sort of sacrifice is, of course, the point of Rep. Rangel calling for a renewal of the draft. It is neither race-baiting nor class warfare—Rangel was accused of both—to suggest that a democratic society has a problem when members of its most privileged classes are not among the first to rally to the colors at a time of trouble.

This problem also worries Charles Moskos, the nation's premier student of service and the military experience. Moskos has explored ways of expanding the circle of commitment and promoting the idea of the ''citizen soldier.'' This idea has caught on in a wide range of political circles. As Stanley Kurtz wrote in the National Review in April, ''In a world of looming military challenges, the citizen-soldier program may be our last chance to expand the armed forces without a draft.'' John Lehman, the Navy Secretary under Ronald Reagan, has also offered helpful remedies short of a draft to overcome what he agrees is a fundamental problem: that ''the burdens of defense and the perils of combat do not fall even close to fairly across all of our society.''

FROM SERVICE TO CITIZENSHIP

If the problems of inequality are vexing where military service is concerned, they can also be troubling for service at home. Service, badly conceived, can distance citizens from public problems by seeing the server more as a missionary uplifting the needy than as a fellow citizen. Michael Schudson, a professor of sociology at the University of California, San Diego, sees President Bush's ideal citizen is a ''Rotarian, moved by a sense of neighborliness, Christian charity, and social responsibility, but untouched by having a personal stake in public justice.'' Schudson's point is not to knock Rotarians. It is to argue that self-interest in pursuit of justice is a virtue. As Schudson notes in describing the civil rights movement, the most dramatic expansion of democracy and citizenship in our lifetime was brought about by citizens ''driven not by a desire to serve but by an effort to overcome indignities they themselves have suffered.'' The point is brought home powerfully by Charles Cobb, who sees the civil rights movement as being best understood ''as a movement of community organizing rather than one of protest.'' The civil rights movement performed a huge national service—and inspired many specific forms of service, including the registration of thousands of voters. This quintessentially civic, ''good government'' act, the registration of new voters, was also a powerful form of rebellion in places that denied African Americans the right to vote.

These are essential points. Yet it is also true that Rotarians are good citizens. Neighborliness, charity, and social responsibility are genuine virtues. And it is just possible that a nation responding to the call to service would, over time, become a nation deeply engaged in questions of public justice.

The debate over national service is a debate over how we Americans think of ourselves. It is a debate over how we will solve public problems and what we owe to our country and to each other. If our nation is to continue to prosper, it is a debate we will have in every generation. For if we decide that there are no public things to which we should be willing to pledge some of our time and some of our effort—not to mention ''our lives, our fortunes, and our sacred honor''—we will be breaking faith with our nation's

experiment in liberty rooted in mutual assistance and democratic aspiration.

IN HONOR OF THE 20TH ANNIVERSARY OF DALLAS SOUTHWEST OSTEOPATHIC PHYSICIANS INC.

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. FROST. Mr. Speaker, I rise today to honor and recognize Dallas Southwest Osteopathic Physicians Inc., as it celebrates its 20th anniversary.

In 1983, a group of doctors at Stevens Park Osteopathic Hospital decided to form a social welfare organization with the noble intention of investing in charitable causes in the Dallas community. With $7 million in hand, the doctors invested their money, the returns on which led to large contributions to medicine, education, and community development initiatives. Over 20 years, the organization doubled its assets and has since contributed more than $12 million in grants, scholarships, and financial assistance, to numerous community projects.

The Dallas Southwest Osteopathic Physicians have granted gifts to organizations and individuals in nearly every facet of life. Among their many gifts to the community, the Physicians have granted gifts to build a community center at the Oak Cliff YMCA; construct a playground for the handicapped; establish a Fire Safety House for the Dallas Fire Department; start a Bookmobile for the Dallas Public Library; and establish the Endowed Chair in Clinical Geriatrics at UNT Health Science Center at Fort Worth.

By benefiting the truly needy and encouraging philanthropy in Dallas, the physicians have made a significant and indelible imprint on Southwest Dallas.

Mr. Speaker, Dallas Southwest Osteopathic Physicians Inc. has helped over 150 beneficiaries over 20 years. I know my colleagues will join me in honoring them today, and wishing them the very best in their continuing efforts.

JOHN CZUCZMAN, INTERNATIONAL VICE PRESIDENT OF TWU RETIRES

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. SHUSTER. Mr. Speaker, I rise today to offer congratulations to John Czuczman upon his retirement from the Transportation Workers Union TWU. Before retiring, Mr. Czuczman served as International Vice President and Director of the Railroad Division for TWU representing employees throughout the Northeast and Midwest.

Mr. Czuczman began his career in the rail industry in 1955 as an employee of the Pittsburgh and Lake Erie Railroad and was a member of the TWU Local 1427. In 1968, he successfully ran for Local 1427 President and Grievance Chairman. He continued to serve the Local 1427 in those positions for the next 14 years. During his tenure as President, Mr. Czuczman was an active member of the union's Policy Making Board for railroad members.

In 1980, TWU's late president William Lindner appointed Mr. Czuczman to the International Union's staff as an International Representative. While on the International's staff, Mr. Czuczman was involved in most of the Union's key negotiations and arbitrations. He served as TWU's representative on the task force that put Conrail together in the early 1980's. Additionally, he participated in the crucial TWU negotiations that led to the takeover of Conrail's commuter lines by SEPTA, Metro-North and the New Jersey Transit in 1982. Mr. Czuczman also served as Chairman of the Conrail Screening Committee and participated in a number of Conrail's contract negotiations. Since 1982, Mr. Czuczman has negotiated every contract with Amtrak involving the Joint Council of Carmen and the Amtrak Service Workers Council.

A tireless fighter for the rights of rail workers, Mr. Czuczman has been a strong advocate for the protection and improvement of the benefits provided by the Railroad Retirement Board. He also served as a member of the Board of Governors for Amtrak's Red Block Program which offers assistance, education and rehabilitation to those with alcohol and substance abuse problems.

Mr. Speaker, for almost 50 years John Czuczman has been a tireless advocate for the right of railroad workers. From negotiating contracts, to lobbying, to advocating for better benefits, to just simply being a friend to his fellow workers, John has served his fellow rail workers with dignity and class. Mr. Speaker, I hope that you will join me today in wishing John a long and happy retirement.

MISSOURI RICE MONTH

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mrs. EMERSON. Mr. Speaker, I rise today to recognize September as Missouri Rice Month and to urge all Americans to enjoy rice as part of a healthy, balanced diet.

Rice is the staple grain for more than 4 billion men, women, and children worldwide. Eight out of ten people depend on rice for 40 percent of their energy needs.

As a $2 billion cash crop, rice is the fifth most valuable food crop in America. Rice is vital to the economic stability of agricultural producers across the nation. Moreover, America exports rice to more than 100 foreign countries, providing nearly 15 percent of the rice in the global market.

With 1.2 billion of the world's population living in poverty and 800 million undernourished, there is no more serious issue than hunger relief Here in America, we have the rice supply to alleviate much of this suffering - and no continent in the world has been affected more by hunger than Africa.

In July, three rice farmers from Stoddard County, Missouri, accompanied me to Rome to learn more about how to get our Missouri products to African communities that desperately need food aid. Internationally, the World Food Programme and the Food and Agricultural Organizations of the United Nations are working to implement commonsense programs to educate Africans on American agricultural products, to increase American exports and food aid to Africa, and to initiate school feeding programs.

By enabling America's thriving rice producers to meet the food needs of the starving and malnourished around the world, we can overcome hunger. But first we must raise awareness of America's quality agricultural exports. As more nations accept our food products for their own hunger relief, the demand for our rice will continue to grow. The satisfaction of improving and saving lives is the only reward America needs.

Missouri Rice Month will help us meet our humanitarian goals, and Missouri Rice Farmers will keep growing the grain that feeds the world.

WHAT DOES AMERICANISM MEAN TO ME?

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. STARK. Mr. Speaker, I rise today to share with you the inspirational message of a perceptive eighth grader, Tess Spinola, winner of the Disabled American Veterans Auxiliary (DAVA) annual State Essay Contest. The contest, which began in 1948, was held throughout the East Bay Area of San Francisco. This year's question was ''What does Americanism mean to me?'' Tess attends St. Joseph's Elementary School in Alameda, CA in my district.

Founded on March 5, 1947, the Oakland Unit (#7) Auxiliary of DAVA brought together wives, sisters, daughters and mothers of those injured or disabled during wartime. The group of women decided at that time to dedicate their efforts to give back to the nation in a variety of ways. They work with local youth to bring more of America's young people to community service. Not all their work is purely organization, of course. DAVA created 100 baby quilts and gave them to nearby Highland Hospital, along with hand-made wheelchair bags and lap ropes for veterans. A few women in the Oakland Unit put on a party for people with Alzheimer's disease; others chair an Olympics for those with disabilities. In the words of Eva Mae Perakis, past state commander, ''Our main purpose is to stimulate patriotism in the country and bring joy and awareness to the community.''

Ms. Perakis described the essay contest as ''overwhelmingly heart-warming.'' She said she receives letters from students who said it enriched their young lives to study and learn about veterans. ''They realize they didn't really appreciate those freedoms they took for granted,'' she noted. Ms. Perakis also noted that the essays have ''touched a few adult hearts as well.''

''The contest causes our children to think and investigate inside themselves,'' Ms. Perakis said. ''It's good for their minds. We're just trying to make our young students aware of what freedom really means. We hope they get that awareness as they write.'' Mr. Speaker, we all know that our children represent the future, and that someday they will be running this great country of ours. But, their impact frequently comes much before their maturation to

adulthood. As any parent can tell you, today's youth has a knack for giving us adults a few important lessons. Tess Spinola's essay does just that.

WHAT DOES AMERICANISM MEAN TO ME?

(By Tess Spinola)

Americanism is such a powerful word with so many meanings. It is the equivalent of struggles, worries, doubts and fears, that all led, eventually, to astounding triumphs that define who we are, and the country we live in. It is the feeling of freedom as we lay our hands over our hearts and pledge to the flag; a flag that symbolizes the blood, sweat, and tears of Americans in the past, present and future; it is the pride and patriotism that only an American can truly understand. Most importantly, Americanism means something different for each of us.

Americanism means Victory to me; it means the success in the quest for independence by the Colonist in the Revolutionary War, symbolizing that America and its citizens are people that will fight to the end, and will prevail in the darkest of situations. Americanism, to me, also means Freedom. It is the heart and passion of the Northern states in the Civil War, fighting for four years for the freedom of their African American brothers and sisters. It means Unity to me, because when joined together as one, we are unstoppable. More recently, and for the first time, Americanism means Compassion for me. It is the New York fire fighters, encased in the ash, smoke, fire and despair, as the Trade Centers were minutes from crumbling to the ground. It is the moments that they climbed up those smoky stairs, risking their lives just for the hope that they could save the life of another. It is the way that Americans have shaken off the September 11th attacks and helped each other recuperate; turning defeat into a lesson we will learn from and grow because of for the rest of our lives. Americanism is a word and a meaning shared throughout our country, by everyone, yet it is also something very personal for me.

When I walk into my Catholic Church, and I am able to take Communion, and have a relationship with God in my own way, I know what Americanism means. When I leave the Basilica that day, and go to friend's house that is a Jew, or a Baptist, or one that has no religion at all, I know what Americanism means. When I am allowed to enjoy the Diversity surrounding me everywhere I go, and love all people I meet as my equal, Americanism has its most profound meaning for me. To be an American is to be a person of God, accepting, acknowledging, respecting and loving all people. It is what we have fought through, what we have strived for, what we are still fighting for in many ways, and what we have the chance to live everyday of our lives.

Yet, Americanism, like anything, also means Change and Growth. Not only do we acknowledge that we need to change and grow in many ways, but we strive toward it everyday of our lives. We look forward to once again realizing our faults, defeating them, and growing because of them. Americanism is not represented for me through the war we may be going into with Iraq; in fact the war is America turning its back on everything we stand for. But it does mean to me the hundreds of people lining up to protest the war in San Francisco. These people know what Americanism means; freedom and right to protest, which is something that seems like such a basic right, but in reality, was fought for and earned by our founding fathers. These people are living out what we have fought for throughout our country's entire history, and when I see them on the front page newspaper, I know why I am proud to be an American.

In short, Americanism means Victory, Freedom, Unity, Compassion, Diversity, Change, and Growth. It is the triumph and the pride in the tears that run down the cheeks of America's citizens as they hold their hands to their hearts and ponder for what seems like the first time, every time, the meaning of their National Anthem. It is alive in each and every one of us, and we must strive to be a real American everyday; the sum of what we have fought for, and what we have learned. As I watch people of all races, nationalities, religions and histories live together as equals, as I gaze at our flag, waving in the cool air of a young sunny day, as I observe the sparks of fireworks on the Fourth of July, bursting triumphantly and fluttering back to the ground in a glowing sparkle, I know what Americanism means to me. What does it mean to you?

HONORING MOTHER TERESA

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mrs. MALONEY. Mr. Speaker, I rise today to pay tribute to Mother Teresa, a woman who has touched the lives of millions directly and indirectly. On October 19th 2003, Mother Teresa will be beatified in Rome by Pope John Paul II.

Born August 26, 1910 in The Former Yugoslav Republic of Macedonia as Agnes Gonxha Bojaxhiu, she would not wait long to change the world. She soon found her calling at the age of 18 when she had her first calling in the Catholic church and joined the Sisters of Loretto. This Irish order of Catholic Nuns was responsible for Mother Teresa's traveling to India, where she taught and also served as principal at St. Mary's High School.

Mother Teresa's second calling came from the sick and the dying people in the streets of India. In 1948, she was granted permission by the Vatican to leave the Sisters of Loretto and start her own ministry in order to reach out to the poor, the suffering, and the dying. In 1952, Mother Teresa opened the Nirmal Hriday, Pure Heart, Home for Dying Destitutes in Calcutta. The Missionaries of Charity which continues to fulfill Mother Teresa's mission now has more than 400 of these homes worldwide. Her order of missionaries has grown to include approximately 5,000 sisters.

With such resources, Mother Teresa, late in her life, continued to help those that were fighting for their lives by giving her time and energy to those who were sick from the horrible illness known as HIV/AIDS. Mother Teresa's work has known no borders, from houses in New York City, San Francisco and Tirana, Albania, to helping the radiation sick in Chernobyl, the hungry in Ethiopia and earthquake victims in Armenia.

In 1979, Mother Teresa deservedly received the Nobel Peace prize for her continuing work to help the sick and the poor. In 1985 she received both the Presidential Medal of Freedom, and the Lifetime Achievement Award from the Foundation for Hospice and Homecare. It has been said though, that no matter how prestigious these awards, Mother Teresa's most beloved reward was the feeling she received from taking care of those who needed her help.

Mr. Speaker I can stand here and recount for hours all of the wonderful things that Mother Teresa has done for this world. Mother Teresa's greatest accomplishment however is the lasting love that she has left behind with her mission and its continued work to serve those who cannot help themselves any longer.

In recognition of Mother Teresa's birthday, beatification and all of her accomplishments, I ask my colleagues to join with me to honor the memory of this wonderful woman.

A TRIBUTE TO RICK KNOTT UPON HIS RETIREMENT FROM THE SAN DIEGO UNIFIED SCHOOL DISTRICT

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. CUNNINGHAM. Mr. Speaker, I rise today to congratulate Richard Knott on his retirement after 30 years of service to the San Diego Unified School District. It is an honor to recognize the contributions that Rick has made to this school district and to our Nation during his career.

Rick has dedicated his life to the education system and has had numerous accomplishments throughout his 30 years with the San Diego Unified School District, the National Association of Federally Impact Schools, NAFIS, as well as many other education-related organizations.

I personally have worked closely with Rick in his role as the Controller of the San Diego Unified School District, and as a member of the Board of Directors of NAFIS. As a member of the NAFIS board, Rick has been an advocate of the Impact Aid program, a program designed to reimburse school districts for a loss of tax revenue as a result of a Federal presence. Rick has worked not only to increase funding for the Federal Impact Aid program, but also to ensure that the program's authorizing law is applied fairly to school districts, and maximizes the value of the program dollars.

On behalf of San Diego Unified, Rick has sought to ensure that the school district is receiving its fair share of impact aid dollars under the law. In addition to being a liaison to the Department of Education for the school district's basic support payments, Rick aggressively sought new sources of Impact Aid dollars. Rick even identified a section of the law, Section 8002, that had previously not applied to the district. Since 1994, Section 8002 has yielded in excess of $35 million for students in San Diego. Through Rick's work, San Diego City Schools identified and qualified for Voluntary Integration funding resulting in over $100 million of income to the district since 1985. This was done at the time when districts were not thought to qualify for the Voluntary Integration fund. Rick has drafted several legislative concepts and language to increase funding to the district or improve business/finance operation at both the Federal and State levels. Rick has also been asked to testify before the U.S. Congress, House of Representatives Subcommittee on Education to discuss the importance of Federal Impact Aid issues.

I would also like to thank Rick for his service to the 50th District of California. Rick frequently joked with me about the strong voting

block that he controlled—that of his wife and children—in my Congressional District. Rick worked hard to ensure that my staff and I maintained a thorough understanding of the Impact Aid law, and the issues and challenges facing the program. This program is important to my Congressional District because of the presence of a number of large military installations. Rick's dedication to strengthening and improving this program has improved educational opportunities for military children in my Congressional district, and for military and Indian children all across our country.

Mr. Speaker, it is my honor to recognize Richard Knott on this occasion of his retirement from the San Diego Unified School District for his dedication to education and his continued role in enriching the lives of students in my district and across the country. I thank him for his service and wish him continued success in the future.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2004

SPEECH OF

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 25, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2861) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes:

Ms. SCHAKOWSKY. Mr. Chairman, I rise in strong support of the Nadler-Velázquez amendment. The amendment restores $150 million in funding for the Section 8 voucher program. The underlying bill cuts funding for housing vouchers. If this bill is passed into law in its current form, 85,000 people will lose their vouchers, including over 3,200 families in Illinois. I strongly believe that we should expand, not reduce, funding for the Section 8 voucher program and low-income housing in general. The Nadler-Velázquez amendment would help restore voucher funding for thousands of families in need.

In a letter I received today, several faith-based organizations wrote, ''As faith-based organizations, we are committed to strengthening our communities by assisting those who are the most vulnerable, and we believe that our work is not simply a matter of charity, but of responsibility, righteousness, and justice. We urge you to assist us in our work by renewing Congress' commitment to fully fund and expand the Section 8 voucher program.'' I encourage my colleagues to read the full text of the letter and urge all members to support the amendment.

July 25, 2003.

To: Members of the U.S. House of Representatives

Re: Funding for the Housing Choice (''Section 8'') Voucher Program

As members of the faith community, we are writing to express our concern about funding for the Section 8 housing voucher program. Our organizations serve millions of low-income individuals and families who, despite their best efforts, are struggling to meet their basic needs and to achieve economic stability. To many of those we assist, the lack of affordable housing presents a considerable obstacle, and the Section 8 voucher program offers in turn a critical form of assistance. Through our work, we are witness to the important role that housing vouchers play in preventing homelessness, and in helping low-income individuals and families to make progress towards economic stability.

Congress has for many years expressed a strong commitment to the Section 8 voucher program, consistently voting to increase the number of vouchers authorized and to fully fund all authorized vouchers. This commitment has been important, as the need for housing assistance has continued to expand. In most communities, there are long waiting lists for Section 8 vouchers, and it is estimated that only one third of eligible households receive voucher assistance.

To our disappointment, however, Congress appears to be retreating from this commitment. In the appropriations law for 2003, Congress failed, for the first time in recent memory, to include funding for incremental Section 8 vouchers. This week, the House Appropriations Committee reported out a VA–HUD appropriations bill for 2004 that would, by its own estimate, fund only 96 percent of authorized Section 8 vouchers, and again includes no funding for incremental vouchers.

Moreover, while we appreciate that the House Appropriations Committee has made a sincere effort to improve on the President's budget request for the voucher program, and we recognize that estimating future voucher costs is difficult, there is reason to believe that the Committee's estimate is overly optimistic. Recent analyses performed independently by the Congressional Budget Office and the Center on Budget and Policy Priorities (CBPP) suggest that the Committee's estimate is based on voucher cost assumptions that are too low. For example, in an analysis of the most recent voucher cost data from the U.S. Department of Housing and Urban Development, CBPP estimates that the Section 8 appropriation in the House bill would be sufficient to renew only 91 percent of authorized vouchers, and is approximately $580 million short of the funding that will be necessary to fully renew vouchers leased in 2004. A shortfall of this magnitude would have a destructive impact on thousands of vulnerable households—85,000 households, by CBPP's estimate—the great majority of which are working families, elderly, or disabled.

We therefore urge you to renew Congress' commitment to fully fund the Section 8 voucher program. Specifically, we ask that you increase the Section 8 appropriation sufficiently to ensure that all authorized vouchers will be funded, and to make certain that no households using vouchers in the coming year will be denied funding.

As faith-based organizations, we are committed to strengthening our communities by assisting those who are the most vulnerable, and we believe that our work is not simply a matter of charity, but of responsibility, righteousness, and justice. We urge you to assist us in our work by renewing Congress' commitment to fully fund and expand the Section 8 voucher program.

Sincerely,

American Baptist Churches USA; Call to Renewal; Catholic Charities USA; The Episcopal Church, USA; McAuley Institute; NETWORK, A National Catholic Social Justice Lobby; Presbyterian Church (U.S.A.) Washington Office; United Jewish Communities; Volunteers of America.

HONORING ESPERANZA MARRERO

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Ms. VELÁZQUEZ. Mr. Speaker, I rise today on the floor of the U.S. House of Representatives to pay tribute to Esperanza Marrero—a resident on the Lower East Side of my New York City Congressional District.

Esperanza is the oldest person in New York State at 110 years old and 4 and ½ months. She has lived through two World Wars, and has seen the changes in culture and life in Puerto Rico—and in New York City—over the decades.

Born in 1893 in Mayaguez, Puerto Rico, Esperanza is the proud grandmother of 15 and has dozens of great grandchildren. She credits her long life to getting a strong start growing up in Puerto Rico.

Like her grandmother before her who lived to be 120, Esperanza continues to live a full life, playing bingo at the Lillian Wald Senior Center, shopping on 14th Street, or watching the boats on the East River. Her companion is a dog named Benji, who is said to have saved her life many times.

Esperanza, which means ''hope'' in Spanish, was named appropriately—her life and her story are truly inspirational.

Therefore, Mr. Speaker, I rise today to honor Esperanza Marrero, and join with my colleagues in the House of Representatives to recognize her extraordinary life.

TRIBUTE TO DR. ROBERT INGRAM

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. MEEK of Florida. Mr. Speaker, I rise to pay tribute to a versatile and committed public servant in my District, the Rev. Dr. Robert Ingram. This honor has long been in coming for his service to our community in various capacities. Among the roles he has held was that of Chief of Police, City Manager and subsequently Mayor of the City of Opa-Locka. His current elected position as Vice-Chairman of the Miami-Dade County Public Schools, the fourth largest school system in the nation with some 370,000 students, is what occupies his waking hours as he doggedly tackles the awesome task of balancing the learning needs of students amidst the dwindling education dollars that now fund our schools.

In its most recent article entitled: ''Robert Ingram: The Ascension of an Ex-Miami Cop,'' the FLAVOUR Black Florida Life & Style Magazine succinctly quoted the City of Miami's first Black Police Chief Clarence Dickson when he described Dr. Ingram's service record thus: ''. . . his life is legend and is about as close to the impossible dream as I have witnessed . . . not in my wildest dreams would I have predicted the accomplishments, the challenges, the risk, the courage, the sacrifices, the victories and the successes this man would achieve though all of the evidence was there in those early days.''

He has spoken clearly on such issues as money, reparations, black-on-black crime, affordable housing, civil rights, love, equal rights

amendment, rap music, etc. and all the implications inherent in these core issues that now crowd the African-American community's agenda. Dr. Ingram exudes the preeminence of a noble gentleman, as well as the virtues of a lucid scholar as he is wont to expound during School Board meetings his unwavering positions on equal educational opportunities for minorities, the controversial incongruence of the Florida Comprehensive Assessment Test (FCAT), along with his unconditional passion for justice and equal rights for all.

Ever since I have known Dr. Ingram, he has always been at the forefront of ensuring equal participation in the shared duties and responsibilities on the part of Miami-Dade County's citizenry. At the same time, his forceful advocacy in adhering to the tenets of equal treatment under the law not only in the halls of academia= but also in every segment of our government agencies has become legendary. In fact, countless others have been touched by his genuine commitment, especially towards those who could least fend for themselves.

Dr. Ingram is the consummate public servant and community activist who abides by the dictum that those who have less in life through no fault of their own should be helped by the government—regardless of race or creed, gender or class. The numerous accolades with which he has been honored by various organizations and agencies at the local, state and national levels attest to an unequivocal testimony of the utmost respect he enjoys.

Blessed with a down-to-earth common sense and yet consecrated by his religious calling to serve the ''. . . least of these,'' he is also imbued with the rare wisdom of recognizing both the strengths and limitations of those empowered by the electorate to govern. This unique leadership is being tested to the hilt during School Board meetings as he draws attention to the basic purpose of our public schools—that of maximizing the learning potential of every student and that the success of any school is genuinely measured by how well it is reaching out even to those students who are being left behind.

Dr. Ingram thoroughly understands the accoutrements of power and leadership, and he is wisely exercising them alongside the mandate of his conviction and the call of his conscience as he engages all their energies toward advancing the good of the community he has learned to love and care for so deeply. He exudes the kind of genuine faith and anchors his hope in the Godgiven abilities of the students attending the Miami-Dade County Public Schools when he stated that ''. . . I firmly and passionately believe that all our kids have what it takes to succeed. The challenge is for us to reach this generation by motivating them instead of frustrating them. Children often turned off school by simple things because they are sensitive beings that we do not always respond to.''

Dr. Robert Ingram truly exemplifies a unique and responsive leadership whose courageous vision and wisdom appeals to our noble character as a caring Nation. At the risk of being presumptuous, I honor him and I want to extend to him the utmost gratitude of the Miami-Dade County community that he and I are privileged to serve.

HONORING ROBERT G. HOWELL

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mrs. MCCARTHY of New York. Mr. Speaker, I rise in recognition of Mr. Robert G. Howell, of Mineola, New York for his thirty-five years of distinguished service in the Nassau County Police Department. His retirement this year marks the end of an extraordinary career. As a Patrolman and then a Detective, Mr. Howell has worked diligently for the security and safety of our communities. He has put his life on the line everyday for the protection of others. The courage and bravery he has shown is to be commended.

A former United States Air Force officer, Mr. Howell is a proud American. Mr. Howell is also a lifelong athlete, played softball, basketball, and lacrosse everywhere from Pease Air Force Base in Portsmouth, New Hampshire to Nassau County, New York as a member of the Nassau County Police Department County team. A dedicated community member, Mr. Howell recognized the need for strong, positive role models. Since 1976, he has taught children the importance of teamwork, leadership, and perseverance as a soccer, baseball, and lacrosse coach. As a Detective, a Coach, and a loving father and husband, Mr. Howell's commitment to serving his community is unparalleled. This is not the first time Mr. Howell has been recognized for his efforts. A committed member of the Detectives Association Incorporated, where he served as President for seventeen years, he was named Law Enforcement Man of the Year in 1986. He also received acknowledgment for Excellent Police Duty twice, a Meritorious Award, and a Congressional Special Recognition Award. Now it's my turn to say thanks.

Mr. Speaker, I ask my colleagues to join with me to express our gratitude to my friend, Mr. Howell for his exemplary work and dedication to the safety and protection of his fellow Americans. His many accomplishments in his thirty-five years of service have helped make Nassau County a safe place for all.

H.R. 2971

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. SHAW Mr. Speaker, I would like to have it noted that Mr. CARDIN of Maryland should be considered as an original cosponsor of H.R. 2971, Social Security Number Privacy and Identity Theft Prevention Act of 2003. Mr. CARDIN's name was inadvertently omitted from the list of original cosponsors at the time the bill was introduced. Mr. CARDIN has long supported efforts to protect the privacy of Social Security numbers and prevent identity theft and I am pleased to have his support on this important legislation.

CONGRATULATING THE CITY OF PEABODY, MA, ON THE CELEBRATION OF THEIR 20TH ANNUAL INTERNATIONAL FESTIVAL

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. TIERNEY. Mr. Speaker, on September 14, the City of Peabody, Massachusetts, will celebrate its Twentieth Annual International Festival, and I will be among the more than 65,000 people who will stroll around Peabody Square enjoying the vibrant array of arts, entertainment and foods of the diverse ethnic groups that enliven civic life in Peabody today.

The International Festival was envisioned by former Mayor Peter Torigian, who initiated and continued the event as a way to celebrate the ethnic and cultural diversity of the city known historically for its important role in the leather tanning industry that was so much a part of the 19th and early 20th century economic history of our region. Under Mayor Torigian's hands-on leadership, the Festival grew exponentially over the years and has now been warmly embraced and fostered by current Mayor Michael Bonfanti, who serves as the International Festival's Honorary Chairman.

Throughout these two decades of growth and change in Peabody, there has been one very constant presence involved in the International Festival—City Councilor Judy Selesnick, who has served with great skill and enthusiasm as Chairwoman and number one volunteer for the International Festival since its beginning. This Twentieth Anniversary year will be Judy's last at the helm; she has decided to retire from the chairmanship, though few doubt that she will continue to cheer from the sidelines as each year's festivities unfold.

To Judy Selesnick, Mayor Bonfanti and Mayor Torigian, and to all of the citizens of Peabody who celebrate their diversity on this day and every day, my congratulations and best wishes for a most successful International Festival this year and my thanks to you all for your dedication to Peabody's rich heritage and hopeful future.

NOTING THE OPENING OF A CZECH REPUBLIC REGIONAL CONSUL'S OFFICE IN KANSAS CITY

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. MOORE. Mr. Speaker, I rise to bring to the House's attention the opening of a regional consul's office for the Czech Republic in the Kansas City metropolitan area. Events are being planned from September 24 to 26 to celebrate this opening, including a visit from the Czech Republic's ambassador to the United States, Martin Palouš, to Kansas City.

For centuries, thousands of Czechs and Slovaks have immigrated to Kansas, Missouri and Nebraska. These naturalized Americans and their descendants have formed a vibrant part of America's rich cultural tapestry. Now, after only a decade since becoming a free and autonomous nation, the Czech Republic's

amazing progress toward democratization has created a unique opportunity to further strengthen the ties between Eastern Europe and America's heartland. I believe this new local consul's office can be the catalyst for further interaction, understanding and mutual appreciation.

I would like to take this opportunity to congratulate and thank Sharon K. Valášek, the honorary consul of the Czech Republic to Kansas, Missouri and Nebraska, for helping to establish an official Consulate of the Czech Republic in Kansas City.

I also wish to thank the distinguished ambassador from the Czech Republic, Mr. Martin Palouš, and welcome him to Kansas City. I hope that our two nations can continue to cooperate and thrive while strengthening our bonds of friendship and commerce.

TRIBUTE TO MAJOR GENERAL JAMES P. CZEKANSKI

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to our country and the community of Riverside, California are exceptional. This country has been fortunate to have dedicated individuals who willingly and unselfishly give their time and talent and make this country a safer and better place to live. Major General James P. Czekanski is one of these individuals. On Saturday, August 23, 2003, he will be honored as he departs from March Air Reserve Base in Riverside, California.

In 1968, Major General Czekanski, after receiving his Bachelor's Degree in history from the University of Massachusetts, attended undergraduate pilot training at Williams Air Force Base in Arizona. After completing school he attended Sewart Air Force Base in Tennessee for C–130 combat crew training and then became a tactical airlift pilot for three years at Pope Air Force Base in North Carolina in 1969. He served at Ubon Royal Thai Air Force Base in Thailand as an AC–130A Gunship aircraft commander from 1972 to 1974 at which time he attended Squadron Officer School. Over the next 4 years he would serve in various positions before obtaining his Master's degree in counseling and human development from Troy State University. In 1981 he completed Air War College.

Over the next 20 years Major General Czekanski served in numerous commands throughout the country as Chief of Tactical Airlift Operations, Commander, Vice Commander and Senior Air Reserve Technician, Inspector General, and Director of Operations. In August of 2000 he was assigned to March Air Reserve Base in Riverside, California as Commander of the 4th Air Force, Air Force Reserve Command. He has accumulated more than 7,500 hours of flight time and has flown numerous aircraft including the C–5A, C–141A/B/E/H, AC–130A, HC–130H/N/P, and KC135R.

Throughout his distinguished career Major General Czekanski has received over 20 major awards and decorations including the Legion of Merit with two oak leaf clusters; Meritorious Service Medal with oak leaf cluster; Air Force Outstanding Unit Award; National Defense Service Medal with service star; Vietnam Service Medal; and Kuwait Liberation Medal from both Saudi Arabia and Kuwait. In addition to his dedication to his military career, Major General Czekanski is a member of the Air Force Association, the Reserve Officer Association, the Order of the Daedalians and the Airlift and Tanker Association.

Major General Czekanski's tireless passion for service to country and community has contributed immensely to the betterment of our nation and to the community of Riverside, California. I am honored and proud to call him a fellow community member, American and friend. I know that many community members are grateful for his service and salute him as he moves on to the next chapter of his life.

IN RECOGNITION OF INSPECTOR HENRY KADEN ON HIS RETIREMENT FROM THE UNION CITY POLICE DEPARTMENT

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Inspector Henry Kaden on his retirement from the Union City Police Department after 27 years of serving and protecting the public.

Inspector Kaden began his career with the Union City Police Department in 1976. In 1984, he was promoted to detective in the Crime Prevention Bureau, where he served until he became sergeant in 1985. In 1988, Inspector Kaden became commander of the Crime Prevention Unit, and, in 1989, he was promoted to lieutenant. After serving as lieutenant for eight years, he was promoted to captain in 1998, and finally, earned the rank of inspector in July, 2002.

Before his service with the Department, Inspector Kaden served in the United States Army from December 1966 to December 1968. From May 1967 until May 1968, during the Tet Offensive, Henry Kaden served in Vietnam.

Inspector Kaden has been the recipient of a number of awards and recognitions for his outstanding service to the public. In 1989, he received the McGruff Award for the National Night Out Program; in 1990, he was named Police Officer of the Year by the Knights of Columbus; in 1991, he was named a National Night Out "All Star"; and, from 1991 to 1993, his National Night Out Committee was awarded National Honors for representing a top state in the country for neighborhood safety.

Inspector Kaden has received four Medals of Valor and two Life Saving Awards from the Union City Police Department; seven Excellent Police Service Awards; two Honorable Service Awards; a Wound Medal, and two Unit Citations for his work on the Crime Prevention Bureau and as Detective Bureau Commander. The State of new Jersey awarded him with a Distinguished Service Medal and the Vietnam 25th Anniversary Commemorative Medal in 2002.

Inspector Kaden is a graduate of Emerson High School in Union City, New Jersey.

Today, I ask my colleagues to join me in honoring Inspector Henry Kaden for his 27 years of service with the Union City Police Department.

RECOGNITION OF THE 13TH ANNIVERSARY OF THE SIGNING OF THE AMERICANS WITH DISABILITIES ACT INTO LAW

HON. KATHERINE HARRIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Ms. HARRIS. Mr. Speaker, I rise today to commemorate a landmark civil rights anniversary in American history, which passed after we had adjourned for the District Work Period in July. Thirteen years ago, the first President Bush signed the Americans with Disabilities Act into law, launching a new era in our nation's everlasting journey towards equal opportunity for all.

This long-overdue legislation finally breathed life into the principle that every American has the right to be a full and equal participant in our society.

As Florida's Secretary of State, I was blessed to have the opportunity to apply the mission of the ADA to the cause of election reform. Beginning with my appointment of a Select Task Force in 2001, we worked to remove the obstacles that prevented persons with disabilities in Florida from enjoying the sanctity of the secret ballot and the civic majesty of going to the polls on Election Day.

Thanks to powerful advocates from Florida's disabilities community like Pam Dorwarth, Doug Towne, and Richard LaBelle as well as the skilled leadership of Colonel Charley Price in mobilizing our veterans with disabilities, Florida became the first state in the nation to pass wide-ranging legislation vindicating the voting rights of persons with disabilities.

As we celebrate how far we have come, we must not forget how many miles we still must travel to truly secure for every American the rights and privileges that most of us take for granted.

SARGE FRYE OBITUARY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. WILSON of South Carolina. Mr. Speaker, today many South Carolinians mourn the loss of Sarge Frye, who died yesterday of heart failure at the age of 90. I ask that his obituary be included in the RECORD, as printed today in the State newspaper.

[From the State, Sept. 4, 2003]

COLUMBIA.—Mr. Frye died Wednesday, September 3, 2003. Born in Medon, Tennessee, he was a son of the late Leonard A. Frye and Pearl Daniel Frye Allin. A combat veteran of World War II and Korea, he landed at Utah Beach on D-Day. He was decorated with two Bronze Stars, a Purple Heart, and Combat Infantry Badge. He retired in 1953 as a master sergeant after 23 years of service in the U.S. Army. While serving in the Armed Forces, Sarge was an outstanding athlete, participating in basketball, baseball, softball and track as a player and coach. He met his wife, Ruby, while stationed in Alabama. The

family later moved to Columbia's Fort Jackson, where he was responsible for athletic facilities. Mrs. Frye died in 1997.

It was in 1953 that he came to work for the University of South Carolina and was placed in charge of athletic facilities. His duties were expanded to include supervision of grounds for the entire university. South Carolina named its baseball facility, ''Sarge Frye Field'' in 1980 to honor its groundskeeper. The American Baseball Coaches Association named Frye National Groundskeeper of the Year in 1993. Sarge retired in 1977, but continued to supervise operations through mid-1997. In addition to groundskeeping and landscaping duties, Sarge operated the game clock for men's and women's basketball games at the Carolina Coliseum for many years.

Sarge Frye was inducted into the USC Athletic Hall of Fame and the South Carolina Athletic Hall of Fame. He was an honorary member of the USC Association of Lettermen and the USC Alumni Association.

Surviving are his daughter, Nancy Frye Stiehr of Columbia; son, Jerry L. Frye and his wife, Jayne, of Greenville; sister, Norma Pope of Dallas, Texas; brothers, Kenneth Frye of Jackson, Tenn., Huey Frye of Florida, and Martin Allin of Boliver, Tenn.; four grandchildren, Jay L. Frye and his wife, Kim, of Columbia, Mamie Frye Clayton and her husband, Richard, of Columbia, Debbie Stiehr Smith and her husband, Allen, of Charlotte, and Eric Stiehr and his wife, Marianne, of Columbia; and five great-grandchildren, Cole and Tucker Smith, Mary-Riley, Heyward and Emma Clayton. He was predeceased by a son-in-law, Pete Stiehr.

A TRIBUTE TO GEOFFREY ARONOW—OUTGOING PRESIDENT OF THE AMERICAN CIVIL LIBERTIES UNION FOR THE NATIONAL CAPITAL AREA

HON. ARTUR DAVIS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. DAVIS of Alabama. Mr. Speaker, in February of this year, I joined with individuals from the President's Committee of the American Civil Liberties Union of the National Capital Area for dinner at the home of two of its members, Charlie Cerf and Cynthia Dunbar.

On that occasion, I learned a great deal about the activities of this particular Affiliate of the National ACLU, and I met and talked with its President, Geoffrey Aronow. I found him to be a person who is very committed to preserving and protecting civil liberties. I understand that Mr. Aronow recently retired from his position as President, and I believe it is important that we pause, acknowledge his dedicated service and thank him for his untiring and selfless work in behalf of the cause of defending our Constitution.

These are indeed difficult times, times that challenge us in many ways, puzzling and unpredictable times. Mr. Aronow's presidency spanned the months and now years since the events of September 11th, 2001. I have come to learn that, through it all, he has been steadfast, unwavering, unequivocal and unambiguous in his words as well as his deeds when matters of the Bill of Rights are at stake. He appreciates that the legal experience in America is enriched and venerated by citizens and non-citizens alike because our history is one of fierce defense of the liberties guaranteed by the first Ten Amendments.

Mr. Speaker, America is not great due to our advanced technology, our many resources or our military might. Those things make us strong. They do not make us great. America is great because of citizens like Geoffrey Aronow, the best and the brightest we have to offer, the most noble, those of unparalleled integrity. He deserves our appreciation for a job well done.

NWOKOMA SAMPSON AND THE MICROSOFT/AAPD FEDERAL INTERNSHIP PROGRAM

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. MOORE. Mr. Speaker, I rise today to bring to your attention and to the attention of my colleagues the outstanding summer internship program that has been implemented by the American Association of People with Disabilities [AAPD] and Microsoft Corporation. This Federal Internship Program provides ten college students—including Nwokoma Sampson, of Merriam, Kansas, which is in my congressional district—with paid summer internships this year working in information technology for one of several participating agencies of the U.S. government.

Nwokoma Sampson attended California State University at Northridge [CSUN], where he was the first black deaf student to graduate with a computer science degree. This internship gave him a means to expand upon the experience he gained in previous internships and on his general technology experience. I am confident that the internship has also afforded him the chance to become familiar with the federal government's working environment and to obtain knowledge that will be an invaluable tool for his evaluation when applying for permanent federal positions. I am including with this statement an article about Nwokoma's experiences that was recently published in the Kansas City Star.

As Mariana Nork with the American Association of People with Disabilities has described their joint effort with Microsoft, ''This is a unique program because it's focused on people with disabilities. This program provides opportunities for the interns, but it is also a great chance for the participating public agencies to learn more about people with disabilities and to realize that there's a wide pool of untapped talent in the disabled community.'' Microsoft and AAPD developed a two-year program to provide 25 paid information technology internships to college students with disabilities in ten different federal agencies, with Microsoft providing $325,000 to fund the program and AAPD overseeing the program's administration. The grant provides each student with a stipend, free accessible housing and transportation, and any costs related to arranging special worksite accommodations that may be necessary. The program is open to any college or university student who has a disability and has demonstrated an interest in a career in information technology. Participating agencies have included the Social Security Administration, the U.S. Department of Transportation and the U.S. Department of Defense.

Established in 1995, the AAPD is the largest cross-disability membership organization in the United States, with over 40,000 members. AAPD's mission is the political and economic empowerment of the more than 56 million people in the United States living with disabilities. I commend AAPD and Microsoft for their joint effort to develop and implement this important federal internship program, which has enhanced opportunities for several disabled individuals, including my constituent, Nwokoma Sampson.

[From the Kansas City Star, July 30, 2003]

STUBBORNLY SEEKING SUCCESS: MERRIAM MAN HASN'T LET DEAFNESS OR HIS START IN WEST AFRICAN POVERTY STOP HIM

(By Kati Jividen)

Call him Nwokoma Sampson or Oma Sampson. He is both. A hearing man. A deaf man. That's according to his resumes.

''I did get some response from the one I posted using Oma without indicating that I am deaf,'' the 34-year-old Merriam man wrote in an online chat. ''But whenever I reply to the recruiter seeking to do an interview, and I tell them I am deaf, I hardly hear from them again.'' It's discouraging—Sampson won't lie. But, like everything else that has happened in his life, he is not going to sit back and be a quiet observer. He'll let someone else do that.

''When I was at CSUN (California State University-Northridge), deaf students who were enrolled in computer science program with me dropped out,'' he wrote. ''By the time we reached our second year, I found myself all alone and struggling to the end. I guess that is why my parents believe that I am stubborn, but I need to be stubborn with my problems in order to overcome them.'' Sampson, who was born in the jungle of West Africa, grew up in poverty. After earning a graphic design diploma in Lagos, Nigeria, he put everything behind him and moved to America ''in search of the American dream or rather the proverbial golden fleece,'' he wrote.

In Nigeria, Sampson was the first deaf student to attend the Yaba College of Technology. He also is the first black deaf student to graduate with a degree in computer science from Cal-State-Northridge. Plus, he wrote, English is his third language behind sign language and Igbo, a language spoken by the Igbo tribe of Nigeria. ''Nigeria had little opportunity for me,'' wrote Sampson, who shares his home with his wife of almost one year, Mei Yuk Maggie Sampson, a counselor at Kansas School for the Deaf in Olathe.

''Actually, I wanted to study medicine, but Nigeria university at that time did not accept deaf students. Neither do they provide interpreters for deaf students at the university level. I had to choose graphic design, which depends more on vision, so that I could teach myself and survive in the class without too much trouble.''

He found himself in the same predicament at Cal-State where he recently graduated with a computer science degree and $50,000 in debt. ''I could not work and go to school because I had to teach myself everything and even study during summer breaks in advance for the classes I am going to enroll in the following semester,'' Sampson wrote. But now that Sampson has earned his degree (six years in the making) he is able to spend this summer on an information technology internship in Washington, D.C. He is living in a dorm room at George Washington University, working with the Federal Emergency Management Agency. He has helped with the agency's transition to the Department of Homeland Security.

Asked if he enjoys the job, he responded: ''It is not whether I am enjoying myself or not. It is about networking.'' His boss, the assistant to the chief information officer of FEMA, speaks to Sampson in sign language. Since his arrival, her signing has improved. ''Now she has improved her sign language while I get to know her better in order to establish a connection,'' he said. ''It is this connection that I am looking for, which may one way or the other help me in the future.''

Sampson—and nine other students with disabilities—are the first to partake in these competitive information technology internships, said Mariana Nork, senior vice president at the American Association of People with Disabilities (AAPD). The advocacy group coordinated the internships, which are funded by a two-year $325,000 grant from Microsoft, Transportation and lodging is provided, and each intern is given a $4,500 stipend. All of the interns are top in their respective classes, and all are seeking a career in information technology. ''The disability community has continued to see a high unemployment rate in this country. Our goal is to make that change,'' Nork said.

''That is a multi-tiered task, but at the basis of it all is education. We must educate people with disabilities about job opportunities available to them in all of the careers. The other side of the coin is educating the potential employer.'' Seminars, such as one taught last week by Microsoft, teach the interns how to correctly apply for a job with a disability, said Sarah Meyer, senior manager in Microsoft's community affairs department. ''To say this is successful is an understatement,'' Nork said of the internship program. ''We are delighted, the interns are delighted and the agencies are delighted.''

Sampson would be delighted to have a job. He spent five months looking for a job in Kansas, to no avail. When he heard about the AAPD internships, he applied and waited. ''I post it and that was it,'' he wrote. ''I do not like to be too anxious about anything. I just let tomorrow take care of itself.''

Sampson said his ideal job is to work as a software engineer, programmer, application developer—anything that comes with some element of programming so he can help teach other deaf students. He may even start his own software engineering business ''if I keep getting discriminated (against) when it comes to hiring by private companies,'' he wrote. Plans are already under way for him to go back to school at the University of Maryland-Adelphi to get a master's degree in computer science or software engineering. Eventually he would like a doctorate. His success has led to advice for other struggling students: ''Never give up as a deaf person. Where there is a will, there is a way, and what you sow, you will reap the fruit eventually.''

IN HONOR AND MEMORY OF BOB BRISON

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the community of Mira Loma were exceptional. Mira Loma has been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give their time and talent and make their communities a better place to live and work. Bob was one of these individuals. On August 13, 2003, Bob passed away and the community of Mira Loma had to say good-bye to a man who forever changed their way of life.

Bob was a pillar of his community, having served as the President of the Mira Loma Chamber of Commerce for 8 years. As President, he worked relentlessly to promote small business and enrich the business environment of Mira Loma. Bob was also extremely supportive of Riverside County veterans and actively participated in Jurupa VFW events such as the annual golf tournament. The owner of a concrete placement and finishing company, he donated his time and materials to paving the driveway of the VFW at Glen Avon. His compassion and ability to give saw no bounds.

Bob was also passionate about 4–H and the Future Farmers of America. He worked to ensure that the kids were successful and enjoyed their experiences while participating in the organizations. He often organized pancake breakfasts for charity and founded the Community Citizens on Patrol. The citizens' group patrols Mira Loma and supports law enforcement and code enforcement agencies in Riverside County. His commitment to various groups throughout the community immeasurably improved the quality of life of the residents of Mira Loma.

As dedicated as Bob was to the community, Bob was also a devoted husband and father. His wife Gina and two daughters, Mary and Michelle, were the joy of his life. My thoughts are with them during this difficult time.

Mr. Speaker, looking back at Bob Brison's life, we see a man dedicated to his family, community, and country. Bob's tireless passion for community service has contributed immensely to the betterment of the community of Mira Loma, California. Bob has been the heart and soul of many community organizations and events and I was proud to call him a fellow community member, American and friend. For all he has done and given over his lifetime, honoring his memory is our duty and privilege.

IN HONOR OF CARMEN VALENTI

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Carmen Valenti for his years of dedication and service to the citizens of New Jersey as a tireless housing advocate. He was honored on August 20, 2003 at a luncheon at Don Pepe Restaurant in Newark, New Jersey.

As the Director of the New Jersey Office of Public Housing for the Department of Housing and Urban Development (HUD) for the last twelve years, Mr. Valenti has worked relentlessly to implement public housing programs, and has fought for adequate and affordable housing for New Jersey residents across the state.

Mr. Valenti first came to New Jersey in 1973, where he began working with the Somerset Department of Planning. In 1978 he began working as a planner for HUD in the Newark's Community Development Office and served in that capacity for thirteen years until becoming Director in 1991.

Originally from Utica, New York, Mr. Valenti earned his bachelor's degree in History and Sociology from Concord College in West Virginia, and his master's degree in Public Administration from Golden Gate University in San Francisco. He also holds a master's degree in Urban Planning from New York University.

From 1969 to 1973, Mr. Valenti served in the intelligence division of the United States Air Force. He earned the rank of staff Sergeant and was honorably discharged in 1973.

A true public servant, Mr. Valenti's efforts to provide better housing for New Jersey residents have improved the lives of many across the state. Today, I ask my colleagues to join me in honoring Carmen Valenti for his tireless advocacy and dedication to serving the public.

TRIBUTE TO SAM T. HART

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. LEVIN. Mr. Speaker, I rise today to pay tribute to an outstanding leader in Michigan's labor community on the occasion of his retirement after over 30 years of service. Sam Hart, Business Manager, International Union of Operating Engineers Local 324, is an operating engineer through and through. Starting as a pipe liner in Michigan, he rose through the ranks to distinguish himself within the state and the nation as a thoughtful and effective labor leader.

Mr. Hart was initiated in the International Union of Operating Engineers in 1959. He was appointed the Business Representative for Local 324 in 1971 and was first elected to the Executive Board in 1977. His leadership in organizing members in the Operating Engineers and on issues of health care and retirement security, so vital to the working men and women he represents, catapulted him to the highest tier of leadership and gained the local union a reputation throughout the state and nation.

Local 324 is considered one of the strongest local unions in Michigan, with the largest percentage of its workers organized throughout the skilled trades. Local 324 is consistently listed as one of the top 25 locals in the State.

Sam Hart's good work has called him into numerous positions of service. He was elected Secretary-Treasurer of the North and Central States Conference in 1990, the largest conference of operating engineers in the United States. He served on the negotiating Committee for the National Pipe Line Agreement for the entire U.S. and Canada. He served as President of the Michigan State Building Trades and on the Detroit AFL–CIO Executive Board. He was elected as a General Vice President to the International Union of Operating Engineers beginning in 1994 and was appointed Chairman of the General Pension in 2000.

I have been honored to know Sam Hart as a friend over so many of these years. What friends say about Sam Hart is probably most telling about the man whose career will be honored on Saturday, September 6, 2003. He is ''thoughtful,'' ''level-headed,'' ''decent,'' a ''gentleman'' and a ''family man to the core.'' I ask my colleagues to join me in paying tribute to the work of Sam Hart and to wish him, his wife, Darlene, and their entire family health and happiness in the years ahead.

WELCOMING THE ROLLING RAINFOREST TO SAN FRANCISCO

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Ms. PELOSI. Mr. Speaker, it is my pleasure to bring to the attention of my colleagues a wonderful exhibit, the Rolling Rainforest, as it comes to San Francisco on its maiden journey across America.

The Rolling Rainforest is a classroom on wheels. Inside a 53-foot tractor-trailer, the magic of a rainforest environment is reproduced as a mobile museum, transporting the message of environmental stewardship to underserved schoolchildren.

It has traveled from the nation's capital to the Golden State to participate in the 150th anniversary celebration of the California Academy of Sciences. During its visit to San Francisco, the Rolling Rainforest will reach out to the Leonard R. Flynn Elementary School in San Francisco, Lincoln School in Vallejo, and the Golden Gate Elementary School in Oakland.

Since it was first launched in Washington, D.C. last October, the Rolling Rainforest has had more than 25,000 visitors come to experience the sights, sounds and smells of a rainforest. Inside the exhibit, children are introduced to a sloth hiding in the forest canopy, beautiful butterflies, and exotic birds line the explorer's path to the scientist's hut where experiments are conducted using rainforest products—chocolate, vanilla and coffee. It is an enchanted trail that leads children on a new discovery.

Mr. Speaker, rainforests are a precious gift. About 25 percent of the world's forests are rainforests, and they are home to one half of the earth's plant and animal species. Rainforests possess an ecosystem that is based on a complex interdependence of plants and animals. One of the critical lessons derived from the exhibit is the essential relationship of the rainforest to our surroundings and daily lives.

These lessons are conveyed in the environmental education message from the Rolling Rainforest exhibit, and they are developed and delivered in a manner that reaches younger generations. The exhibit teaches young people the importance of environmental stewardship in their communities and prepares them to be good stewards of the earth's natural environment.

Congratulations to the Discovery Creek Children's Museum on its San Francisco debut of the Rolling Rainforest.

CONGRESSIONAL PAY

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. GREEN of Wisconsin. Mr. Speaker, this body must understand that by giving itself a pay hike today, it sends a message to the American people that the Congress is woefully out of touch. In my state, the economy has serious problems. People are losing their jobs. Families are too worried about whether there's going to be another paycheck at all to even think about when a raise might be coming. This pay boost is a terrible idea, it's irresponsible, and it's a slap in the face of taxpayers during this very tough time.

IN HONOR OF REVEREND MONSIGNOR EDWARD F. WOJTYCHA

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Reverend Monsignor Edward F. Wojtycha for his 65 years of service to the people of New Jersey and to the Catholic Church.

A native of Jersey City, New Jersey, Reverend Monsignor Wojtycha has dedicated his life and work to helping the people of Jersey City and Bayonne. The Reverend Monsignor began his career in 1938 as a priest at St. Vincent's Church in Bayonne. During his 25 years at St. Vincent's, he served as administrator for 7 years and oversaw the ordination of 20 new priests. In 1963, he was appointed pastor of the newly-formed Our Lady of Mercy Church in Jersey City, where he helped build a new church facility, school, and convent. He then served as pastor of St. Andrew's Church in Bayonne until 1970. Reverend Monsignor Wojtycha retired in 1985. Since 1990, he has continued his service by volunteering at the Most Precious Blood Church in Monmouth Beach. He was honored on June 11, 2003 by the Catholic Community of St. Andrew's Church to mark the 65th anniversary of his priesthood.

Reverend Monsignor Wojtycha continues to be a great inspiration to the people and the cities he has served. He was a founder of the St. Vincent's Drum and Bugle Corps, which has won 10 National Championships, 22 State Championships and had the honor of marching in all presidential inaugurations from Truman to Kennedy.

The Reverend Monsignor has been named ''Man of the Year'' by the State and National Junior Chamber of Commerce, the Knights of Columbus Fourth Degree, the Disabled War Veterans, the American Legion, and others. He was a recipient of the Governor's Award and the VFW National Youth Award, and is in the National Drum Corps Hall of Fame and the New Jersey Drum Corps Hall of Fame. There are two streets named after the Reverend Monsignor, one in Jersey City and one in Bayonne.

Today, I ask my colleagues to join me in honoring Reverend Monsignor Edward F. Wojtycha for his exceptional service and dedication to the people of New Jersey.

CALLING FOR TAIWANESE REPRESENTATION AT THE UNITED NATIONS

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. DEUTSCH. Mr. Speaker, I rise today to call for representation for Taiwan at the United Nations. During the October, 1971 debate on admitting the People's Republic of China to the United Nations, George H.W. Bush, the United States Ambassador to the United Nations, worked hard to implement the United States' official policy: dual representation which would allow both Beijing and Taipei to be represented in that body. The father of today's president suggested that China take the seat in the UN Security Council and that Taiwan take a seat in the General Assembly.

But George H.W. Bush's efforts at the time were undercut both by Henry Kissinger and Nationalist leader Chiang Kai-shek. Kissinger did not support dual representation for China and Taiwan. He happened to be on his second visit to Beijing preparing for President Nixon's trip while the debate was underway. Ambassador Bush noted later that the Kissinger trip swayed some votes against the American position.

Chiang Kai-shek, then President of the Republic of China, himself did not support dual representation, clinging to the absurd position that he and his Kuomintang government were the sole legal government of all the Chinese people. The UN vote to seat the People's Republic of China righted the obvious injustice that had meant 1 billion people were not represented in the UN.

But the vote also created a major injustice, leaving the people of Taiwan unrepresented.

Chiang and his obdurate KMT position are now history. Taiwan's government no longer makes this ridiculous claim. Moreover, Taiwan has moved from the autocratic days of Chiang's martial law to full-fledged democracy.

I call upon President George W. Bush to implement the same policy his father fought for—dual representation for both Beijing and Taipei in the UN, participation by Taiwan in all international fora, and full diplomatic recognition of Taiwan by the United States.

The brave citizens of Taiwan deserve nothing less and the global community striving to defeat terrorism will be strengthened by Taiwan's recognition and participation.

LIMERICK TOWNSHIP'S 125TH ANNIVERSARY

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. GERLACH. Mr. Speaker, I rise today to recognize Limerick Township, Montgomery County, Pennsylvania on its 125th Anniversary.

In 1682, William Penn purchased the land that would become Limerick Township from the Lenni Lenape Indians of the Delaware Tribe. His purchase paved the way for the area's first settlers who, in the Township's infancy, were mostly Welsh, Germans, Holland Dutch and French Huguenots. An official petition to form ''Lymmerick Township'' was filed in Philadelphia in March of 1726 and the original document remains in City Hall, Philadelphia, to this day.

Manatawny Road, which we know today as Ridge Road, was the name given to the main road through the Township from Trappe to Pottstown and was built in 1718. The area's first schools were started by parents and were usually part of the neighborhood churches with

instruction focusing on religion, reading, writing and arithmetic. Limerick hired its very first law enforcement officer, a constable, in 1767, before organized police protection began in 1961. For the first 250 years of Limerick Township's history, all public records were kept in individual homes until the municipal building was erected in 1973, with a ceremony and dedication in 1974. In 1968, the Philadelphia Electric Company selected a site within the Township for construction of two nuclear power generating units and, by 1986, the plant was fully operational. Today there are four elementary schools that serve the Township's children, two fire companies, an airport and numerous churches—just a few more indications of how the community has grown through the years.

Flourishing Limerick Township, however, saw an acceleration of growth particularly after the opening of the Pottstown Expressway (Rt. 422) in 1985, which connects the Limerick area to King of Prussia as well as nearby Philadelphia. Since its completion, the Township has seen skyrocketing residential and commercial growth resulting in many new businesses and residents who call Limerick Township home. Today, Limerick Township, one of the oldest townships in Pennsylvania, is considered one of the most desirable and respected communities in the Philadelphia region.

Mr. Speaker, I ask my colleagues to join me today in recognizing Limerick Township for 125 years of history, heritage and service. I also recognize the fine citizens and officials of Limerick Township, including Township Supervisors Thomas J. DiBello, Kenneth W. Sperring Jr., Francis T. Grant, Frederick L. Fidler and Joseph T. Greco, for making Limerick Township the wonderful community it is today.

HONORING WARREN WILSON

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor Warren Wilson, a former constituent and friend whose short life touched those with whom he came into contact.

Warren Wilson was, more than anything else, generous. I have met few people in my life whose generosity and charity exceeded Warren's. He willingly gave his time, energy, and money to help those in need. He performed free legal work for those who could not afford it. He raised money for charitable organizations that helped the poor and downtrodden. He volunteered to serve on the boards of local community and service organizations.

Warren Wilson was, however, more than just an asset to our community. He was a loving husband to his wonderful wife, Beth. He was a devoted father to his fine son, Scott. And he was a mentor to my children, especially to my son Gus, who runs the law practice that I started before I came to Congress.

Warren also was my friend. He was someone with whom I could watch a baseball game, someone with whom I could discuss the issues we debate in this hallowed chamber, and someone with whom I could talk about life and our roles in it. One of my proudest and most gratifying moments in Congress came when I was able to appoint his son to serve as a congressional page. Warren was so proud of Scott, as was I for the outstanding job he did during his time in Washington.

Mr. Speaker, I was blessed to know Warren Wilson and to have had him as a friend. And the world is a much better place for having had him in it. I know that, although his earthly life has passed, his impact will be felt by those he touched for many, many years to come.

INTRODUCTION OF LEGISLATION HONORING CELIA CRUZ BY AWARDING HER THE CONGRESSIONAL GOLD MEDAL

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. MENENDEZ. Mr. Speaker, I rise today to offer legislation to honor my great friend, the music icon, Celia Cruz, who lost her courageous battle with cancer on July 17, 2003.

Last night, during the Latin Grammy's, Americans were mesmerized by an emotional and wonderful tribute to the great Celia Cruz. Today, in the People's House, I am joined by my colleague, Representative ILEANA ROS-LEHTINEN, to introduce legislation that will posthumously award Celia Cruz the Congressional Gold Medal.

Celia de la Caridad Cruz Alonso was born on October 21, 1924, in Havana, Cuba. Her career blossomed when she left Cuba for the United States in 1960, where she eventually made Fort Lee, New Jersey her home.

Over a five decade career as an entertainer, Celia Cruz became known as the ''Queen of Salsa,'' and claimed the calling card cry of ''Azuuuucar!'' Celia's passion, boundless energy, and charisma transfixed generations of salsa fans and musicians. She recorded more than 70 albums and her collaborative efforts with other performers including the legendary salsa artist Tito Puente, pop star David Byrne, and hip-hop producer Wyclef Jean helped break down ethnic and cultural barriers. She was one of the few bridges that crossed cultural and racial divides.

Celia's musical talent earned her hundreds of awards worldwide, including five Grammy's, two Latin Grammy's, and the National Medal of Arts, the highest honor bestowed on an artist in the United States. She was a Hispanic Heritage Awards Lifetime Achievement recipient, and has a star on Hollywood's Walk of Fame. Her music was a unifying force, and her passion for a free Cuba was evidenced in both her music and her words.

Celia touched the lives of millions. More than 100,000 individuals mourned her loss at her wake in Miami, Florida and 75,000 people lined the streets of Manhattan to pay their respects as her funeral procession made its way through the streets of New York City.

Celia Cruz made countless contributions to American society and the world as an entertainer, and she was an ambassador of Latino culture and a voice of freedom. Her music, her words, and her love of freedom live on. This legislation would make Celia the first Latina to receive the Congressional Gold Medal.

I urge my colleagues to support this bill, and I urge the leadership to bring it swiftly to the floor for a vote.

PERSONAL EXPLANATION

HON. MAX BURNS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. BURNS. Mr. Speaker, I rise today to provide an explanation for my absence during three votes yesterday evening.

During yesterday's votes of roll Nos. 460, 461, and 462, I was en route to the Capitol from Savannah due to weather delays in the Washington area. Had I been present, I would have voted in the affirmative for each.

RECOGNITION OF THE 13TH ANNIVERSARY OF THE SIGNING OF THE AMERICANS WITH DISABILITIES ACT INTO LAW

HON. KATHERINE HARRIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Ms. HARRIS. Mr. Speaker, I rise today to commemorate a landmark civil rights anniversary in American history, which passed after we had adjourned for the District Work Period in July. Thirteen years ago, the first President Bush signed the Americans with Disabilities Act into law, launching a new era in our nation's everlasting journey towards equal opportunity for all.

This long-overdue legislation finally breathed life into the principal that every American has the right to be a full and equal participant in our society.

As Florida's Secretary of State, I was blessed to have the opportunity to apply the mission of the ADA to the cause of election reform. Beginning with my appointment of a Select Task Force in 2001, we worked to remove the obstacles that prevented persons with disabilities in Florida from enjoying the sanctity of the secret ballot and the civic majesty of going to the polls on Election Day.

Thanks to powerful advocates from Florida's disabilities community like Pam Dorwarth, Doug Towne, and Richard LaBelle as well as the skilled leadership of Colonel Charley Price in mobilizing our veterans with disabilities, Florida became the first state in the nation to pass wide-ranging legislation vindicating the voting rights of persons with disabilities.

As we celebrate how far we have come, we must not forget how many miles we still must travel to truly secure for every American the rights and privileges that most of us take for granted.

AMERICA HAS LOST A GREAT WARRIOR AND HERO: GENERAL RAY DAVIS

HON. JOHN LINDER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. LINDER. Mr. Speaker, it is with great sadness that I mourn the loss of retired U.S. Marine Corps General Raymond G. Davis, who passed away yesterday in Atlanta, Georgia.

With his birth on January 13, 1915, in Fitzgerald, Georgia, Raymond Gilbert Davis began a life of service to his fellow Americans. His military career, for which he is best known, commenced after his graduation from the Georgia School of Technology in 1933, where he participated in the Reserve Officers' Training Corps unit. In 1938, General Davis resigned his commission with the U.S. Army Infantry Reserve to accept an appointment as a U.S. Marine Corps second lieutenant.

It was General Davis' bravery while serving in the U.S. Marine Corps that proves how this ordinary man was truly one of America's extraordinary heroes. During the Korean War, then Lt. Col. Davis gave this country his most famous demonstration of his unparalleled leadership during the 1st Marine Division's historic break out of the Chosin Reservoir area. During that campaign, in the face of treacherous weather conditions and overwhelming enemy numbers, he led a battalion of Marines to prevent the annihilation of a beleaguered Marine rifle company and secured a mountain pass for the safe deployment of two additional Marine regiments while keeping his own forces intact.

Following this act of bravery, President Truman, who presented the Medal of Honor to Lt. Col. Davis on November 24, 1952, wrote, ''his valiant devotion to duty and unyielding fighting spirit in the face of almost insurmountable odds enhance and sustain the highest traditions of the U.S. Naval Service.''

General Davis once jokingly told me that was the biggest mistake he ever made because every time Marines were trapped they sent for him. He, of course, was pleased to do whatever his country asked him to do.

General Davis, who also served in World War II and the Vietnam War, culminated his service with an appointment as the Assistant Commandant to the Marine Corps. Following his service in this capacity, General Davis retired from the U.S. Marine Corps in 1972, and became America's most highly decorated living veteran. His decorations include: the Medal of Honor; the Navy Cross; the Distinguished Service Medal with Gold Star in lieu of a second award; the Silver Star Medal with Gold Star in lieu of a second award; the Legion of Merit with Combat ''V'' and Gold Star in lieu of a second award; the Bronze Star Medal with Combat ''V''; the Purple Heart; the Presidential Unit Citation with four bronze stars indicative of second through fifth awards; the Navy Unit Commendation; the American Defense Service Medal with Fleet clasp; the American Campaign Medal; the Asiatic-Pacific Campaign Medal with one silver star in lieu of five bronze stars; the World War II Victory Medal; the National Defense Service Medal with one bronze star; the Korean Service Medal with four bronze stars; the Vietnam Service Medal with three bronze stars; the National Order of Vietnam, 4th Class; the National Order of Vietnam, 5th Class; the Vietnamese Cross of Gallantry with three Palms; two Korean Presidential Unit Citations; the United Nations Service Medal; and the Republic of Vietnam Campaign Medal.

General Davis' devotion to his fellow Americans did not end with his retirement. General Davis was instrumental in the design, funding and construction of the U.S. Korean War Memorial located here in Washington, DC. I was there on the day it was opened. I was as proud of my friend on this occasion as I have ever been. It struck me that while he was a genuine hero as a military leader, his greatest contributions to his nation may have been what he did over the last 31 years for his fellow veterans. He loved them for their service and they revered him for his leadership.

Then, General Davis played a crucial role in creating U.S.-Korea 2000, an organization that reached out to almost 40,000 veterans of the Korean War in order to allow them to participate in ceremonies associated with the 50th anniversary of the Korean War. In my home state of Georgia, he devoted his time and energy to the construction of the Georgia War Veterans Memorial Park in Rockdale County.

Through the years I have known Ray Davis, not only as a fellow veteran, but also as a friend. His courageous devotion to his comrades, his unyielding fight for the American veteran, and his love for and service to the United States itself are all examples of what it truly means to be an American.

While his military service was exemplary, his post military service deserved just as many medals. I generally open a speech with the request for all veterans in the audience to stand. When they do, they are met, without exception, with the greatful applause of the rest in attendance. Ray Davis taught me that.

When I am in a campaign I always target veterans since, as Ray always reminded me, I should be proud that I am one and should share that fact.

When the Republican Party is in a presidential race, whether 1988, 1992, 1996, or 2000, I could always expect Ray Davis to be escorting our candidate around veterans groups. Indeed, there was no military leader, with the possible exception of Omar Bradley, more revered by the troops, then my friend Ray Davis.

Let me hasten to add that he was never satisfied with our efforts. I was the proud recipient of many letters and phone calls from this American hero reminding me of how many veterans there were and what patriots they were and how little we were doing to appreciate them. I may have disagreed with him once or twice, but I do not recall it. My prayers go to Willa and the family.

America has lost a great warrior and hero. And I have lost a great friend. I shall miss him.

MOTHER TERESA: A MODEL FOR US ALL

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. BACHUS. Mr. Speaker, in 1948, Mother Teresa came across a half-dead woman lying in front of a Calcutta hospital. She stayed with the woman until she died. From that point on, she dedicated the majority of her life to helping the poorest of the poor in India. If everyone in the world able to help the poor would donate a small fraction of their time in the spirit of Mother Teresa, the world would be a much better place.

It takes an extraordinary person to ''see God in every human being.'' Almost 50 years later, her Missionaries of Charity has grown from 12 sisters in India to over 3,000 in 517 missions throughout 100 countries worldwide. For 50 years, this remarkable woman has touched the lives of so many that were in dire need of help.

As we members of Congress go about our daily routines, we would be well served to use Mother Teresa as an example of how we should conduct ourselves. Our duty is public service, and there was no greater servant to mankind than Mother Teresa.

RECOGNIZING MR. ALBERT G. HORTON, JR. OF CHESAPEAKE, VA

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. FORBES. Mr. Speaker, I rise today to recognize the late Mr. Albert G. Horton, Jr. of Chesapeake, VA for his seemingly endless dedication to the veterans of Virginia.

On September 8, 2003, we will break ground in Suffolk, VA to establish a new National Veterans Cemetery, due largely to the perseverance of Al Horton. In 1996, as a Virginia State Delegate, I created the Virginia Veterans Liaison Committee in an effort to bring veterans together and to give a unified voice to their issues. Al Horton was a member of that committee and that is how I first came to know Al.

In 1997, Al contacted me and asked me to introduce legislation to have a National Veterans Cemetery constructed in the Hampton Roads area. Thus, I began a long fulfilling relationship with this very special man.

During 1998, as a result of a bill I introduced as a member of the Virginia General Assembly, a study was conducted to establish if there was a need for a new National Cemetery within the region. The study concluded there were 173,700 veterans living in the Hampton Roads area who would benefit from such a cemetery. The distance to the closest alternative cemetery site in Amelia is two and a half hours away, and the study concluded that this distance had been a deterrent to veterans' families who wanted to be able to visit the gravesites of their loved ones.

Based upon that study, I worked with Al in his new role as Chairman of the Hampton Roads Veterans' Cemetery Committee to find a site to serve as a final resting place for our nation's veterans. An area in Suffolk, VA was selected and $650,000 in state-appropriated monies was used to secure purchase of the land. Additional money was appropriated for the design and engineering of the cemetery, but all those funds were to be reimbursed by the federal government through the Department of Veterans' Affairs in the form of a short-term Treasury loan. The effect of these actions would therefore result in a Veterans' Cemetery for Virginia Veterans that would cost approximately $8 million with Virginia only paying approximately $650,000.

Al Horton worked tirelessly, with the help of veterans around the state, organizing, leading and overcoming many hurdles to make his vision of a veterans' cemetery in Hampton Roads a reality. He even wrote a book, ''Grass Roots Politics, If You Don't Like It—Change It!!'' which details his experience as an ordinary citizen accomplishing the goal of getting something as great as the Veterans Cemetery at Hampton Roads accomplished.

I only wish Al was still with us to see the result of all his hard work. He passed away on

October 17, 2002, in Chesapeake, VA. When Al died, he was at his computer rallying his fellow veterans in an effort to ensure the cemetery would be built. We were talking with Al on an almost daily basis. That was part of Al's essence—never giving up and always going the extra mile to make a difference in other people's lives. His dedication to the veterans and the State of Virginia will never be forgotten.

Al Horton was a dedicated husband and father. In his will, he stipulated that he and his beloved wife, Evelyn, who preceded him in death, should be buried in the unfinished cemetery. It gives me great peace to know that in the near future Al's wishes will be honored.

While Al Horton cannot be with us on September 8, 2003, when we dedicate the cemetery he worked so hard to create, I know that he will be smiling as he looks down. Al Horton understood that the recognition and proper burial of our veterans is an integral part of our national heritage and an important way for a grateful nation to say ''Thank you''. Our veterans have continuously defended and renewed America's promise through their efforts. It is only fitting that we honor them in their final resting place.

Mr. Speaker, today I ask that we take this opportunity to recognize Al Horton for his passion, his commitment, and his love for his country. Al was a veteran, an advocate, an author, and a friend to all who knew him. I hold Al Horton in high esteem and have nothing but respect and affection for this wonderful man. I know my life is changed for having met him, because he was willing to make a difference for those who fought to preserve our freedom and asked for nothing more than a place to rest in eternal peace.

A TRIBUTE TO MR. ROBERT W. CULLEY OF HILL CITY, KANSAS

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

Mr. MORAN of Kansas. Mr. Speaker, I rise today to pay tribute to a man who had a positive effect on the lives of many people in Northwest Kansas and across the state. We mourn the death of Mr. Robert W. Culley of Hill City, Kansas.

A life-long Kansan, Mr. Culley never hesitated to answer the call to serve his family, community, state and country. He lived a life guided by the morals and values we hold dear in rural America: strong beliefs, faithful service and absolute integrity.

Shortly after his graduation from college, Bob volunteered for the Navy in June of 1942. After basic training in Rhode Island, Bob was assigned to the 60th Construction Battalion and was sent to the Solomon Islands in the South Pacific to build an airfield for future operations against Japan. Bob continued his military service, graduating from the Supply School at Harvard and then serving aboard the battleship USS *Texas* until the end of World War II.

Bob returned to his hometown of Mullinville, Kansas, where he spent twenty years farming and ranching. Bob started a new career when he accepted an offer to become the President of the Consolidated State Bank in Hill City.

It was during his tenure at the bank that I was fortunate to have the opportunity and pleasure to work with Mr. Culley. As a recent college graduate, I quickly came to admire his intelligence, integrity and dignity. Working for Bob taught me a great deal about banking, but even more about being a good person. I know that I am better for having known him and worked with him.

He contributed an endless amount of time in making his community a better place to do business and raise a family.

Most important to Bob was his family. Over the course of 61 years together, he and his wife Catherine raised a son and daughter, Tom and Sara, and devoted endless love and attention to his two grandchildren.

He was a member of the United Methodist Church, the Hill City Rotary Club, the Masonic Lodge, the Order of the Eastern Star, the South Solomon Shrine Club, the American Legion, the Veterans of Foreign Wars, the Hill City Elks Lodge, the Graham County Historical Society, the Graham County Community Foundation and the Graham County Hospital Board.

Bob also served on the Fort Hays State University Endowment Board and was a past president. He was involved in the David and Mary Rush Scholarship Trust, where he and other trustees awarded scholarships to Graham County High School graduates.

Through his kindness and service, Robert Culley made his community, state, and nation a better place. I join his many friends and admirers in extending my deepest sympathies to Catherine and her family during their time of loss.

TRIBUTE TO RUSH-MILLER FOUNDATION

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. McINNIS. Mr. Speaker, I rise before this body of Congress today to recognize a charitable organization that works to improve the lives of blind or visually impaired children throughout the United States. The Rush-Miller Foundation raises money to donate bicycles to visually impaired children in ten different states across the country. The foundation works to inspire confidence and a more active lifestyle in children who are visually impaired.

The Rush-Miller foundation was formed in 2001 in recognition of the benefits that the initial project had conferred upon Garrett Rush-Miller. Garrett had been an outgoing, active child until a malignant brain tumor inhibited his usual activities and he stopped playing outside. With the hope that a tandem bicycle could improve Garrett's outlook, his parents were able to obtain a bicycle through the charitable contributions of many friends and sponsors. Now, the Rush-Miller foundation aspires to help other children like Garrett by donating bicycles to help restore their active lifestyles.

Mr. Speaker, I am honored to pay tribute to the Rush-Miller Foundation for their philanthropic work. I commend the foundation for its noble objective and congratulate everyone involved on their tremendous success. I wish the foundation all the best in the years to come.

HONORING MR. XIA CHIA XIONG

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. CARDOZA. Mr. Speaker, I rise today to posthumously honor Mr. Xia Chia Xiong for all of his service to the Lao community in Merced, California. As the first President of the Merced Lao Family Community, Inc. he touched many lives.

Born in 1940 in Laos, Mr. Xiong dedicated his life to helping the Lao community. From 1957–1961, he was an assistant to the Chief of Nam Chanh District, City of Mong Pheng, Vangvieng Province, in Laos. During the Vietnam War, he worked for the United States Central Intelligence Agency and was bestowed the rank of major. With the fall of Laos in 1975, he led a group of Hmong refugees to take refuge in Thailand and served these refugees until he immigrated to the United States in 1980.

In the United States, Mr. Xiong served the first President of the Merced Lao Family Community, Inc. for 4 years. He then served as their Project Director for 2 years. His work in the community is recognized by many. It is my honor to also recognize his achievements.

TRIBUTE TO HAROLD C. EATON

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. BONNER. Mr. Speaker, I rise today to recognize Mr. Harold C. Eaton, a leader in the field of civil rights in both his community and the nation as a whole. His tenure as the Mobile District Corps of Engineers Equal Employment Opportunity Officer, which was marked with numerous accomplishments, has truly earned him the honor of being inducted into the Gallery of Distinguished Civilian Employees.

Mr. Eaton served his country through Federal service for 44 years, beginning with his assignment at Brookley Air Force Base in 1956. Following the closing of the base in 1967, Mr. Eaton transferred to the Mobile District Personnel Office and was later appointed to the position of District Equal Employment Opportunity Officer (EEO) in 1974.

The advancements made by Mr. Eaton during his time as EEO Officer were nothing short of outstanding. Facing the issue of equal opportunity during one of the most tumultuous times in the nation's history, Mr. Eaton's career was marked with a number of challenges. The most serious of these challenges was the court-ordered Consent Decree, a class action lawsuit outlining affirmative action goals for black employment in the Mobile District. Mr. Eaton worked diligently and effectively to solve the problems faced by the community in the field of equal opportunity and was successful in having the Decree lifted in 1987. Through his work in the community, Mr. Eaton became a recognized leader on the local and Federal level in the field of affirmative action.

A second major challenge Mr. Eaton faced during his tenure as EEO Officer dealt with private contracting for the Tennessee-

Tombigbee Waterway project. Through the system Mr. Eaton developed, the Corps was able to guarantee equal opportunity for both employment and contracting. The idea of private contracting was revolutionary for the Corps of Engineers and is a program which is still in use today.

Mr. Harold Eaton has made many outstanding contributions throughout his life to the advancement of equal rights. His devotion and innovation resulted in major accomplishments on the local and Federal level. It is my honor to recognize the achievements of a man so devoted to the causes of equality and justice, both of which we hold so dear in our Nation. For his tireless work for the betterment of his community, Mr. Eaton truly deserves induction into the Gallery of Distinguished Civilian Employees.

RECOGNIZING PATRICIA MADRID

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Ms. SOLIS. Mr. Speaker, I stand before you today to recognize one of the most inspiring and remarkable Latino leaders in the United States. Patricia Madrid is New Mexico's first woman and the nation's first Latina attorney general.

Since taking the oath to office in November 1998, Ms. Madrid triumphed at protecting the lives of New Mexicans against all levels of violent crimes. She spearheaded initiatives that continue to provide assistance for district attorneys in the prosecution of criminals in New Mexico. In addition, her actions also established strict provisions that protect her state's environmental resources. Through her leadership, the people of New Mexico are not only safer from crime but the state's wildlife, agriculture, and water quality have thrived too.

Throughout her legal career, Ms. Madrid received numerous awards for her political achievements. She was awarded the Latina Lawyer of the Year Award in 2001 by the Hispanic National Bar Association. She received the First Annual Elected Official Award for Work on Behalf of Crime Victims from Mothers Against Drunk Driving. In 1999, the New Mexico Commission on the Status of Women honored her with the Trailblazer Award. In 1994, the Mexican American Legal Defense and Educational Fund, a national organization, recognized her for her outstanding service to the Hispanic community. With all these remarkable accomplishments, her commitment to serve the people of New Mexico and the Latino community nationwide continues undeterred.

Ms. Madrid's ventures as New Mexico's attorney general has dismantled barriers and paved the way for other women and minorities who aspire to reach such feats. I am privileged to recognize her as the perfect example of today's exceptional leader.

A PROCLAMATION RECOGNIZING SERGEANT DALE GILLETTE

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. NEY. Mr. Speaker:

Whereas, Sergeant Dale Gillette has sworn to serve and protect the people of Ross County; and

Whereas, on a daily basis Sergeant Gillette has upheld his oath with an honor and conviction far above the call of duty; and

Whereas, Sergeant Gillette has demonstrated a commitment to meet challenges with dedication, confidence and outstanding service; and

Whereas, Sergeant Gillette has been decorated with an honorable mention award from TOP COPS Awards because of his devotion to people of the Ross County;

Therefore, I join with the residents of Ross County and the entire 18th Congressional District in congratulating Sergeant Dale Gillette as he receives his TOP COPS award.

TRIBUTE TO CODY SHIRA

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. McINNIS. Mr. Speaker, I am honored to stand before this body of Congress and this Nation today to pay tribute to Cody Shira, a courageous young man from Grand Junction, Colorado. Cody recently woke up his parents during the middle of the night when he discovered their house was on fire. The actions of this brave seven year old are truly remarkable, and I am proud to recognize him here today.

While fast asleep, Cody was awakened to the smoke and flames set by an outdoor grill. The grill set fire to a bench, which helped spread the fire into the house through a window. Thanks to Cody's quick reaction, most of the bedrooms in the apartment were spared, helping to save many important belongings and memories. While the Shiras will have to rebuild the bottom level of the apartment, they thank Cody for helping to save not only their bedrooms, but also their lives.

Mr. Speaker, Cody Shira is a true hero. His courageous and quick reaction helped save the lives of his family and much of his home. I am proud to gather with my fellow colleagues and speak of Cody's accomplishments, as his actions are truly remarkable. Good luck, Cody. I wish you the best with all of your future endeavors.

A TRIBUTE TO HILLSIDES HOME FOR CHILDREN

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. SCHIFF. Mr. Speaker, I rise today to honor Hillsides Home for Children in Pasadena. On October 5, 2003, Hillsides will celebrate its ninetieth anniversary with a carnival to honor the achievements of those who have devoted countless hours to Hillsides, as well as to celebrate the children who have been greatly helped by the home.

Hillsides opened its doors in 1913 as an Episcopal Orphanage known as The Church Home for Children. Deaconess Evelyn Wile formulated the agency's mission of loving care, therapeutic healing, special education, family crisis intervention and children's rights advocacy. This vision continues to be the focus of Hillsides over ninety years later. Today, Hillsides is a private non-profit treatment center, but it is considered an official institution of the Los Angeles Diocese of the Episcopal Church.

While Hillsides began its journey solely as an orphanage, the agency has since branched off into several other areas. For children suffering from abuse and mental illness, Hillsides provides them with a safe place that they can call home. The main campus contains six residential cottages for emotionally disturbed children ranging in age from seven to thirteen. On the campus, Hillsides provides a home and intensive treatment services geared to healing and redirecting kids who have experienced traumatic upbringings. In addition to the on-campus housing, there are two off-campus group homes which house twelve teenagers. These off-campus facilities provide residential treatment, mental health care, and practical skills training for independent living after the youth leave Hillsides Home for Children.

Hillsides has also responded to the need for counseling at-risk families to prevent abuse before it starts, and in 1996, the family center was opened. This center provides a broad range of programs from counseling services to classes designed to strengthen families and protect children. Clearly, Hillsides acts as a voice for children through advocacy.

I am proud to recognize Hillsides Home for Children as an integral component of our community by providing a safe haven for children, strengthening families and advocating for children's rights.

It is for these extraordinary achievements that I ask all Members to join me in congratulating Hillsides Home for Children for their ninety years of remarkable work.

IN HONOR OF TERRY MARBURGER

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. FARR. Mr. Speaker, I rise today to honor a true community servant as well as an accomplished business owner, Mrs. Terry Marburger. Terry retired on August 1, 2003 after providing 18 years of dedicated service to the community of San Juan Bautista.

Terry was born in New York City and has been a resident of San Juan Bautista for the past 34 years, where she has been a contributor to the community and to the welfare of the small Mission town. She is married to Mr. Larry Marburger and together they raised their two children, Sully and Anthony Anastasia. Currently, they have five grandchildren.

In addition to having worked in the private sector before owning her own business, Terry is a member of several community organizations such as the Ambassador's Club, the San

Benito Tourism Council, the United Way of Hollister and the San Juan Bautista Historic Planning Committee.

I first met Terry in April of 2002 when she accepted my request to assist with the planning of California's 17th Congressional District's 2002 Naturalization Ceremony. Without her tireless help, we would not have been able to convene so many community leaders in such a short amount of time. That ceremony was a very special day for the participating new citizens, and it is one that many members of San Benito County will remember for a long time to come. It wouldn't have been possible, had it not been for Terry's ambitious fundraising and vision for that day.

Terry will be moving to the Sonora area in the Sierra foothills, and I would like to say that she will be missed by the community of San Juan Bautista, and San Benito County.

Because of her enormous sense of dedicated community service and love for the City of San Juan Bautista, Mr. Speaker, it is an honor to recognize Terry Marburger and her valuable contributions to our community.

HONORING FRANK JOHNSON

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. CARDOZA. Mr. Speaker, I rise today to honor Mr. Frank Johnson, who has delighted the community of Modesto as a ticket taker for the Modesto A's Baseball Club, Inc. for 31 years. As one of the most well known and popular members of the Modesto A's staff, Mr. Johnson has become an endeared friend to all of the team's fans.

Mr. Johnson began working in Modesto baseball in 1958 when he worked in the concession stand for the Modesto Reds at Del Webb Field. Since that time he witnessed five different minor league professional baseball teams call Modesto home. From the New York Yankees to the Oakland Athletics, Mr. Johnson is a testament not only to baseball, but to the many changes the City of Modesto has experienced.

As a constant face to all of the attendees at the Modesto A's games, Mr. Johnson has become a part of local history. He is a reminder of all of the good things about baseball and youth. It is my honor and privilege to recognize Mr. Johnson's 50 years of commitment to our community.

CONGRATULATIONS TO GENE OWENS ON THE OCCASION OF HIS RETIREMENT FROM THE MOBILE REGISTER

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. BONNER. Mr. Speaker, it gives me great pleasure to recognize and salute my friend, Gene Owens, on the occasion of his retirement from ''active duty'' with the Mobile Register, Alabama's oldest newspaper.

For 9 years, Gene has provided consistent, quality reporting to readers along the Gulf Coast and throughout Alabama, first as the paper's political editor and in recent years, as the Register's popular metro columnist.

Prior to moving to Alabama, Gene worked at newspapers in other areas of the country, devoting much of that time to reporting jobs in the Commonwealth of Virginia. Upon moving to the Gulf Coast in 1994, Gene became a familiar face to those of us in public service during his stint as the Register's political editor. In so doing, he shared with the people of south Alabama the talents and personal integrity upon which he built his reputation as a journalist.

Elected officials, community representatives and concerned citizens alike could always rely on Gene to provide the best possible coverage of issues facing us in Alabama as well as topics of national interest. From covering local political debates to national party conventions, Gene could always be counted on to give you the complete story on the major issues of the day. While his readers—and those he reported on—did not always agree with him, we could always be assured there would be equal and fair treatment in his columns and stories, a statement which can not always be said about all journalists.

In recent years, Gene moved to cover more local issues, and his columns on more human interest stories won him an entirely new following. His humorous and often folksy manner of sharing local tales, from topics as diverse as an annual Texas State Fire Ant Festival to a discussion on the finer points of the southern ''take'' on the English language, could always be counted upon to inform, entertain and bring a smile to the faces of all his readers.

His readers, colleagues and fans never hesitated to share their opinions on and about Gene and his pontifications. Of all the comments the paper received during the past 9 years, the one that perhaps best sums up Gene's career and the public's feeling toward him was left on the Register's open comment line, ''Sound Off,'' and was recently reprinted in a tribute column about Gene. Someone called in to say, ''I hope God continues to watch over Gene Owens. The world is so in need of the humor and wisdom that he so richly shares with us all.''

Mr. Speaker, I ask my colleagues to join me today in recognizing Gene Owens for his tremendous contributions to both the world of journalism and to his friends and neighbors along Alabama's Gulf Coast. Gene is indeed a genuine Alabama treasure who has freely shared both his wisdom and humor with all of us, and for nearly a decade I have been proud to call him my friend.

Along with his many friends and followers throughout South Alabama, ''Pal Joey'' wishes to extend to Gene Owens and his lovely wife, ''Miss Peggy,'' all the best in the months and years ahead.

RECOGNIZING REV. JAMES MORRIS LAWSON JR.

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Ms. SOLIS. Mr. Speaker, I stand before you today to recognize one of the most inspiring and remarkable leaders in the United States, Rev. James Morris Lawson Jr. Rev. Lawson Jr. is a minister and a civil rights leader who has worked hard to further the advancement of people of color.

Rev. Lawson was born in Uniontown, Pennsylvania, in 1928. Since early on in his life, he has strongly advocated for nonviolent resistance to achieve political change, a philosophy he developed by studying Ghandian ethics and Methodist theology. A leader in the fight against racism, Rev. Lawson was instrumental in desegregating many of our Nation's societies, especially those in the southern States during the late 1950's and 1960's.

In 1957, Rev. Lawson worked with Dr. Martin Luther King Jr. and helped shape the Southern Christian Leadership Council, a national organization that dismantled barriers for black citizens in the segregated south. Rev. Lawson helped organize students in southern universities to perform nonviolent demonstrations to desegregate restaurants and drug stores in Nashville, Tennessee. His actions influenced others in Historically Black Colleges and Universities to protest, eventually helping to end segregation throughout the South.

Admirably, Rev. Lawson's leadership not only helped black citizens achieve political change, but he also aided labor unions, women, gays and lesbians, and recently incarcerated individuals. With all these monumental accomplishments, Rev. Lawson continues to fight for social justice even in his mid-70's.

His accomplishments as a dignitary of civil rights have inspired other civil leaders, like me, to achieve political change. Therefore, I am privileged to recognize him as the perfect example of today's exceptional leader.

TRIBUTE TO WALTER TIMME

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. McINNIS. Mr. Speaker, I rise before this body of Congress and this nation to pay tribute to a most remarkable individual from my district. Walter Timme of Pueblo, Colorado honorably served in the Army during World War II, leaving his motorcycle sales business to answer his country's call to duty. Walter's service to our country in its time of need is indicative of his commitment to our nation, which I would like to recognize here today.

Putting his passion for motorcycles on hold, Walt kissed his wife goodbye and shipped off to New Caledonia and Biak in the South Pacific. It was not long after they learned of his mechanical abilities that the Army put Walt to work as an aircraft engine repair technician. Walt's knowledge of engines, acquired from his fondness of motorcycles, provided him with an unparalleled skill for fixing planes. Our country owes Walt a debt of gratitude for his service during WWII.

Walt returned safely from the war and revisited his passion for motorcycles. Aside from his time spent serving the country during WWII, Walt has been selling motorcycles since 1938. Walt's entrepreneurial spirit and business savvy have provided his community with jobs and services for over six decades.

Mr. Speaker, it is a privilege to stand before this body of Congress today and recognize the loyal service of Walt Timme to our nation.

Walt's wealth of knowledge regarding mechanics served as a tremendous resource to the Army in a time of need. Thank you Walt, and best of luck with your future endeavors.

A PROCLAMATION HONORING GEORGE ''GUS'' WRIGHT AS HE CELEBRATES HIS 80TH BIRTHDAY

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. NEY. Mr. Speaker:

Whereas, George Wright was born in Flemington, West Virginia on September 7, 1923; and

Whereas, George Wright, a resident of Bellaire, Ohio is celebrating his 80th birthday today; and

Whereas, George Wright has long been a dedicated family man, being understanding and caring. His personal sacrifices of time and energy to family, friends and country stand as a monument to a truly fine individual. For his service to our Nation in the United States Navy, we owe Mr. Wright a debt of gratitude.

Therefore, I join with the family and friends, as well as the residents of the entire 18th Congressional District of Ohio, in honoring George ''Gus'' Wright as he celebrates his 80th birthday.

A TRIBUTE TO SCOTT UNITED METHODIST CHURCH

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. SCHIFF. Mr. Speaker, I rise today to honor Scott United Methodist Church in Pasadena, CA. On Saturday, September 20th, Scott United Methodist Church will celebrate 100 years of dedicated service to the community.

In its century of existence, the location of Scott United Methodist Church, named for Bishop Isaiah Benjamin Scott, has changed on numerous occasions, but the benevolent spirit of the church has remained a consistent presence in the community. After its first humble meeting in the home of Mr. and Mrs. J.W. Harris in 1903, the church assembled in a series of buildings for short periods until 1930 when the congregation settled into the church building at 55 Mary Street for the next 43 years. Scott United Methodist Church then held services at First United Methodist Church on Colorado Boulevard for 2 years before arriving at the current site on Orange Grove Boulevard.

Despite the many moves in its history, Scott United Methodist Church, acting on its motto, ''the church at the heart of the community with the community at heart,'' continually dedicated itself in service to the people of Pasadena. That commitment remains to this day. The Aspires West-Pasadena Program supports at-risk youth in the Pasadena area, and the ''Clothe the Pasadena Unified School District School Children'' project provides school wardrobes for children from low-income families. Scott United Methodist Church also provides assistance to the needy with its rent relief and holiday food programs.

I consider it a great privilege to recognize Scott United Methodist Church for its 100 years of service to the people of the San Gabriel Valley. I ask all Members to join me in wishing Scott United Methodist Church many more fruitful years of service to the community.

TRIBUTE TO LEONE ''LEE'' CHAMBERLIN

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. FARR. Mr. Speaker, I rise today to honor Leone ''Lee'' Chamberlin who passed away on Thursday, July 3, 2003. During her lifetime Mrs. Chamberlin was an active community member, dedicated to serving others by leading such organizations as the Girl Scouts of America, Soroptimists International and the Salvation Army. She will be dearly missed by her family of four nieces Patricia Minor, Carole Sobel, Mary Menke and Barbara Elgen; and two nephews Rocky Phillips and Ron Elgen; as well as countless friends.

Leone Chamberlin was born in Fargo, ND and earned a bachelor's degree in mechanical engineering from the University of Minnesota. She headed the Siems Drake Mechanical Engineering Department at Puget Sound in Seattle, and became at the time one of just 10 women members of the American Association of Mechanical engineers. Her community service began when she moved to Whidbey Island Naval Air Station in Oak Harbor with her husband Walter Chamberlin. There she counseled teenage girls and organized the Girl Scout Council of Whidbey Island.

She later moved to Fairbanks, AK where she worked as the chief of preliminary engineering and drafting departments for the Army Corps of Engineers. While in Alaska she also served as the president for the Farthest North Girl Scout Council and began her work with Soroptimists International. After her husband's death Mrs. Chamberlin moved to Seattle and became the financial adviser on the national staff of the Girl Scouts of America. When she moved to Monterey County she furthered her work with the Girl Scouts by organizing the Santa Cruz, San Benito and Monterey County Girl Scout Councils into the single Girl Scouts of Monterey Bay Council, serving as executive director for several years.

Leone Chamberlin remained active after her retirement, serving as the executive director of the Carmel Business Association, the president of the Monterey Peninsula Soroptimists Club, and board member and president of the Salvation Army. As an ever involved member of the local community she served as a member of the board for numerous committees such as Monterey County Economic Development Committee Monterey County Symphony, Monterey History and Art Association, Carmel Women's Republican Club, Monterey County Council of Chambers of Commerce and Regional Advisory Council for the Salvation Army.

Mr. Speaker, I wish to add my appreciation and recognition of Leone Chamberlin's whose countless achievements have been recognized by numerous awards such as the Congressional Recognition award from Leon Panetta, the Soroptimists' Women of Distinction award, and several Thanks Badges from the Girl Scouts. I join Leone Chamberlin's countless friends and family in honoring her truly commendable life and achievements.

HONORING GREGORY HINES

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Ms. SOLIS. Mr. Speaker, I rise today to pay tribute to Gregory Hines, whose limitless grace, style and talent brought international attention to the art of tap dancing.

Gregory Hines set a high standard of excellence and dedication in the realm of entertainment, whether it was singing, dancing, acting, directing, or creating new choreography. He starred in many tap dancing movies and also created, produced and supported many productions, such as Tap City with Tony Waag and Hoagy Bix Carmicheal. Through his art form, he mentored young talent, and today, tap dance is performed in festivals in as many as 40 nations and has been adapted to diverse cultural rhythms throughout the world.

Mr. Hines not only contributed greatly to the arts, but his dedication to the community has been truly selfless. As a board member of several non-profit organizations, including the American Tap Dance Foundation, Mr. Hines was the tap dance community's chief ambassador, dedicated to the preservation and perpetuation of history, education, and presentation of tap dance. Regardless of the numerous credits to his name, Mr. Hines would always say he considered himself first and foremost a tap dancer.

Gregory Hines will be truly missed as a role model who has taught us how to join together and celebrate the diversity that makes our nation great. His dedication to the community transcended the stage and productions and will be a model for future generations.

A PROCLAMATION RECOGNIZING CHIEF MICHAEL MAGUSCHAK

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. NEY. Mr. Speaker:

Whereas, Chief Michael Maguschak has dedicated his life to serving and protecting the residents of Mingo Junction; and

Whereas, on a daily basis Chief Maguschak has upheld his oath with an honor and conviction far above the call of duty; and

Whereas, Chief Maguschak has demonstrated a commitment to meet challenges with dedication, confidence and outstanding service; and

Whereas, Chief Maguschak should be congratulated on his retirement after 29 years in the police force;

Therefore, I join with the residents of Mingo Junction in congratulating Chief Michael Maguschak on his retirement.

TRIBUTE TO NANETTE LEBORGNE AND BRENDA RICE

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. McINNIS. Mr. Speaker, I stand before this body of Congress and this nation to recognize and honor two remarkable women from my district. Nanette LeBorgne of Rifle, Colorado and Brenda Rice of Parachute have defied the odds and prevailed in the fight against cancer. Today, they fight a new battle, helping raise money for cancer research and assisting other cancer victims with their recovery efforts. I am honored to recognize these two brave women who now devote their lives to helping others conquer this deadly disease.

Nanette and Brenda have developed a close relationship, not only with each other, but also with other cancer survivors in their community. Both women understand the array of emotions one undergoes when first being diagnosed with the disease. They can also relate to the triumphant feeling of victory upon overcoming their struggles.

Brenda volunteers her time to share advice with other cancer sufferers on how she was able to cope with the disease, in addition to simply providing them with someone to talk to and identify with their ordeal. Nanette is a Team Captain for the Relay for Life in Rifle, a fundraising event for the American Cancer Society. This year her team will donate over $1000 to the organization.

Mr. Speaker, it is a great privilege to honor Nanette LeBorgne and Brenda Rice for their courage and contributions to cancer research. Their spirit of community service and altruistic dedication to the welfare of other cancer victims is truly commendable. Their stories of recovery and survival are an inspiration to us all.

A TRIBUTE TO ERNESTINE L. MOORE

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. SCHIFF. I rise today to honor an outstanding citizen of California's 29th Congressional District: Ms. Ernestine L. Moore. Though Ms. Moore has served Pasadena City College for 32 years, she has been a positive force in the community for much longer.

Before coming home to Pasadena, Ms. Moore studied and worked across the nation. She began her academic journey at Virginia State University where she obtained both her Bachelor's and Master's degrees in Psychology. She later completed graduate work at the University of Santa Clara, the University of Massachusetts at Amherst, and the University of California Los Angeles. Ms. Moore began her career as a Psychologist in Norfolk, working for the Virginia City school system. From there she traveled westward to San Jose City College where she worked as a counselor, then moved on to take the title of Supervisor of Counseling for the Los Angeles Urban League's MDTA/OJT program.

Ms. Moore first came to Pasadena City College in 1971 as a counselor. She was promoted to dean of counseling in 1977, became the dean of Student Services in 1984, and reached her current position as Vice President of Student Learning and Services in 1997.

Ernestine showed her commitment to her students and her community when she helped to initiate the African-American High School Day. She has chaired committees that worked to diversify Pasadena City College's student body through recruiting and working to retain the minority groups on campus. Currently, she serves as President Elect of the California Community Colleges Chief Student Service Officers Association.

Ms. Moore continues to add to the list of her services to the community. She serves as the chairperson of the City of Pasadena's Human Services Commission and as President of the Board of the Urban Revitalization Development Corporation. She is an appointee to the City of Pasadena's Utility Advisory Commission, was on the Board of Directors of Women at Work and is a member of ZONTA. She is also Treasurer of the Gamma Lambda Chapter of the National Sorority of Phi Delta Kappa Incorporated, which is an organization of African-American women in education.

Ernestine has been awarded the Young Women Christian Association's Second Century Award, was honored as Woman of the Year by Pasadena City College, and was also the recipient of the Sojourner Truth Award from First African Methodist Episcopal Zion Church.

I ask all of the members to join me in congratulating Ms. Moore for the tireless work she has done for the community and join me in wishing her prosperity and happiness in the years to come.

TRIBUTE TO THOMAS SCOTT LINDSAY

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. FARR. Mr. Speaker, I rise today to honor Thomas Scott Lindsay, who passed away at his home on July 19, 2003. A longtime activist and advocate, Tom committed his life to helping others and raising awareness about HIV/AIDS. Tom Lindsay was a native of Fort Wayne, IN and is survived by brothers Robert Lindsay, Jr. and John Lindsay both of Fort Wayne; and sisters Linda Holt of Oakland and Laura Smart of Pleasant Lake, IN.

Tom came to Santa Cruz in February of this year to work as Executive Director for the Santa Cruz AIDS Project. Although, his time with this organization was limited, his commitment and passion to its cause touched many lives. Tom's leadership, wisdom and vision greatly impacted the AIDS Project; and his compassion, generosity and humility affected everyone around him.

Over the 18 years the AIDS Project has provided support to those in the community of Santa Cruz affected by HIV/AIDS. As an organization, the AIDS Project has exemplified the compassionate spirit of its past leader. Tom's dedication to this community has had an invaluable impact by helping many in dealing with the AIDS epidemic.

Before coming to the Santa Cruz AIDS Project, Tom lived in Sonoma and served as the Executive Director of Face to Face, Sonoma County's AIDS Service Organization. Tom recently served as the Community Co-Chair of the HIV Services Consortium of Sonoma County.

Tom's admirable service, strong character, and exemplary dedication have made a lasting impact on our community and everyone whose lives he touched. It is an honor to recognize the life and achievements of Thomas Scott Lindsay.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. GRAVES. Mr. Speaker, on Wednesday, September 4, 2003, I was unavoidably delayed and thus missed rollcall votes Nos. 463, 464, 465, 466, 467, and 468. Had I been present, I would have voted ''nay'' on No. 463, ''yea'' on No. 464, ''yea'' on No. 465, ''nay'' on No. 466, ''nay'' on No. 467, and ''nay'' on No. 468.

TRIBUTE TO UNIVERSITY OF KANSAS PROFESSOR EMERITUS G. BAILEY PRICE

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. MOORE. Mr. Speaker, I rise today to pay tribute to Professor Emeritus G. Bailey Price of the University of Kansas.

The recent dedication of the Robert J. Dole Center for Public Policy at the University of Kansas has renewed attention upon the millions of Americans who made possible this nation's victory during World War II. One of many Americans who were essential to that war effort, G. Bailey Price, is now 98 years old, residing in Lawrence, Kansas.

Professor Price, a mathematics scholar and instructor at the University of Kansas, was called upon in 1943 to serve our nation as a civilian attached to the U.S. Army's Eighth Air Force Operational Research Section in High Wycombe, England. Professor Price served with them until 1945. It was through the work of statisticians like Professor Price that the Army Air Force was able to apply scientific algorithms to help bomber pilots improve their accuracy and to help impede the assault over England by German V–1 and V–2 bombers. The work of this group was documented in the report, ''Air Force Operations Analysis Section''; Professor Price authored the section of the report entitled, ''Gremlin Hunting in the Eighth Air Force European Theater of Operations, 1943–45''.

After World War II, Professor Price remained with the University of Kansas, helping to build one of the most outstanding mathematics departments of any American university. He was named ''Mathematician of the Year'' by the National Academy of Sciences on more than one occasion. I welcome this opportunity to pay tribute to a valuable and important American; we share the pride of all Kansans in his outstanding achievements and

include in the RECORD a recent article from the Lawrence Journal-World detailing his essential contributions to our war effort.

[From the Lawrence Journal-World, Sept. 33, 2002]

WORLD WAR II TOOK MATHEMATICIAN FROM CHALKBOARD TO DRAWING BOARD

(By Dave Ranney)

World War II was—among other things—a math problem.

And Lawrence resident G. Baley Rice helped solve it.

Today, Price is leaving for England to help dedicate a museum that pays tribute to U.S. airpower in World War II and to the men and women who made it effective.

A Harvard-educated mathematician, Price had been teaching at Kansas University about five years when he got the call in 1943 from then-Chancellor Deane Malott.

''The war was on, but I had a deferment—I was teaching men in uniform,'' Price recalled.

But Malott told Price the U.S. Army Air Corps was putting together special problem-solving units of mathematicians, physicists, engineers and architects. Price, then 38, was a prime candidate.

''They wanted me to go to the South Pacific,'' he said. ''And then as soon as everything was formalized and I'd said I'd go, they said, 'Fine, we're sending you to England.'''

Price spent the next two years—from 1943 to 1945—in England, helping bomber pilots improve their accuracy. Or, as he explained: ''It didn't do much good to drop a bomb on a cabbage field.''

SOLE SURVIVOR?

Now, Price is 97 years old. He's fairly certain he's the sole surviving member of the U.S. Army Eighth Air Force Operational Research Section.

It's both a distinction and an obligation, he said.

''I feel I should do what I can do to honor those who lost their lives,'' Price said.

He's leaving today for Washington, D.C., where he'll join his son, Griffith B. Price, and grandson, Andrew Price, on a flight to England. There, he'll attend dedication ceremonies at the American Air Museum near Cambridge.

Former President George Bush is scheduled to address the gathering. More than 4,000 U.S. veterans and family members are expected to attend.

''Last week, this nation was up in arms—rightfully so—over the events of Sept. 11 in which almost 3,000 people were killed. It was a great tragedy, and I will take nothing away from that,'' Price said recently. ''But 30,000 members of the Eighth Air Force lost their lives during the war. That, too, was a tragedy.''

Price said he's not worried about today's flight.

''At my age, I feel like I have to go.''

The 70,000-square-foot museum features an extensive collection of World War II aircraft including a B–52 Stratofortress, B–17 Flying Fortress, B–29 Superfortress and a P–51 Mustang.

HIS CONTRIBUTION

Price prefers not to dwell on his contribution to the war effort.

For starters, he filed a report with the Air Force back in 1943. And it doesn't seem right to call attention to a civilian mathematician's tasks while others lost their lives.

But when pressed, price said he helped figure out plane formations and drop procedures that improved bombing accuracy.

''We found that smaller, tighter (formations) and dropping (bombs) simultaneously improved accuracy,'' he said.

Ted Wilson, a KU history professor who has studied World War II, said Price under-estimated the section's contribution.

''They played a very important role,'' he said, noting that efforts to improve bombing accuracy played a key role in the military's efforts to cripple the German economy by bombing key factories.

After the war, Price returned to KU, where he later served as chairman of the mathematics department for 19 years. He retired in 1975.

Price and his wife, Cora Lee Beers Price, a longtime assistant professor of classic literature at KU, have six children. She is 93.

Earlier this year, the Prices donated a collection of their papers, books and photographs to the Kenneth Spencer Research Library at KU.

PAYING TRIBUTE TO JOHN WALKER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. McINNIS. Mr. Speaker, I rise today to honor an American hero. John Walker of Pagosa Springs, Colorado is a World War II veteran and a survivor of the Bataan Death March. John recently received the Purple Heart and the Prisoner of War Medal. I am pleased to share his story here today.

John, like so many of his generation, heeded the call of his country and fought for the United States during World War II. He was captured by the Japanese and survived the brutality of the Bataan Death March and three and a half years in prison camps, including Camp O'Donnell. John has a strong will to survive and made it through the terrifying ordeal to return home safely.

John could have easily become consumed by hatred over the way he and his fellow servicemen were treated, but rather John triumphed over that hatred and learned to forgive his former captors. John has even gone to Japan four times to help build churches there.

Mr. Speaker, on August 26th, John Walker was awarded the Purple Heart and the Prisoner of War Medal. These awards are certainly well deserved, and I join with my colleagues in saluting him. John, your bravery and dedication are an inspiration. Thank you, and congratulations.

TRIBUTE TO DR. WILLIAM ANTHONY CARNAZZO

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. FARR. Mr. Speaker, I rise today to honor Dr. William Anthony Carnazzo who passed away on June 19, 2003 after having led a long life of dedicated service to his community. During his lifetime, Dr. Carnazzo not only served his country in the U.S. Army 7th Infantry Division for three years during World War II, where he earned a Bronze Star for his bravery, but also provided the County of Monterey with the invaluable commitment and service of a talented physician. Most importantly, however, he was a devoted husband and father. He is survived by his wife, Betty; two sons, Gerald Carnazzo of Coral de Tierra and William Carnazzo, Jr. of New Castle; two daughters, Gigi Knudtson and Carol Brown, both of Granite Bay; and two stepsons, Chip Worthington of Rohnert Park and Greg Worthington of Zion, Utah. Sadly, Dr. Bill's first wife, Carmel Carnazzo, passed away in 1974 after decades of love and friendship together. However, on a cruise ship the following year, Dr. Bill met and later married Betty, with whom he spent the rest of his life, becoming one of the few lucky people to find their true love twice in one lifetime!

''Doctor Bill,'' as his many friends knew him, lived in Monterey for 64 years. He was born in Carlentini, Sicily on May 23, 1915. Soon after his birth, his mother, Josephine Carnazzo, brought him to Omaha, Nebraska to join his father, Salvatore Carnazzo. Bill attended elementary and high school in Omaha and excelled in both academics and sports, particularly wrestling and football. In 1931, Dr. Bill entered Creighton University's premedical program and subsequently graduated with honors. He then entered the Creighton University School of Medicine, where he received his Doctor of Medicine degree in 1938.

On June 12, 1939, he and Carmel Ann Circo were married in Omaha. While on their honeymoon in Monterey, they were convinced by friends in the area that it would be a great place to start a practice and family. After seeing the beautiful landscape of Monterey, they agreed and later that same year they relocated to Monterey. In 1972, Dr. Bill's son, Dr. Jerry Carnazzo, joined the family practice. After 55 years of medicine, Dr. Bill retired in 1990. Oddly enough, his practice began and ended with the same patient and friend Ted Melicia, but such long-term care and attention was his calling card.

Dr. Bill's life was one of great service and commitment. He spent seven years on the board of what was then Monterey Unified School District. In 1946, he was appointed to fill a vacancy in the middle of a heated controversy regarding building a community college in Monterey. Two years later, Dr. Bill cast the deciding vote that resulted in the creation of Monterey Peninsula College, which has become a landmark educational institution for the residents of Monterey and the surrounding area. His work will continue on as he left a permanent mark in many facets of life for the Monterey Peninsula, especially education.

Dr. Bill's gentle, kind, humble and generous spirit touched both young and old in his private life and professional medical life. He was known and well respected for his selflessness and his ability to instill others with optimism and confidence. Dr. Bill's service is admirable and his character and dedication have made lasting impacts on our community and the people with whom he worked. It is an honor for me to pay tribute to the rich life and work of Dr. William Carnazzo.

TRANSPORTATION, TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2004

SPEECH OF

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2989) making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2004, and for other purposes:

Ms. SLAUGHTER. Mr. Chairman, I rise in strong support of the Cooper-DeLauro-Kilpatrick amendment to H.R. 2989. This amendment would transfer $75 million from the Internal Revenue Service's EITC enforcement initiative The money would instead be used to audit large and medium-sized corporations.

In former IRS Commissioner Rossotti's end-of-term report, the IRS lacks the resources to address 28% of the mid and large corporation workload that should be accomplished each year. This lack of enforcement translates into the government losing $6.5 billion in direct tax revenues on an annual basis, according to the GAO.

The $75 million provided under the Cooper-DeLauro-Kilpatrick amendment would give the IRS just over half of the $180 million that the IRS needs to conduct nearly 7,000 more mid and large corporations audits.

Given that the IRS lacks adequate resources to perform audits and investigations, I cannot understand why the IRS has recently launched a new program to overhaul the EITC program.

As you know, the EITC is the government's primary assistance program for low-income working families. Last year, about 19 million taxpayers claimed more than $32 billion in EITC benefits. This money can be the determining factor for whether a low-income worker's family will live above the poverty line. This is a vulnerable population.

Mr. Chairman, I can tell you that many of my constituents who are eligible for the EITC are already deterred from claiming the credit because of existing filing requirements. I fear that forcing them to submit a new form will only increase the likelihood that eligible low-income parents will be further dissuaded from claiming the credit.

That would be a terrible shame.

Mr. Chairman, as I said before, given the IRS' limited resources, I cannot, for the life of me, understand the rationale behind spending $75 million on overhauling EITC procedures especially since EITC overclaims account for less than 3 percent of the estimated total taxes that go uncollected. Why hasn't the IRS made a similar commitment to capturing the $40 billion that the GAO says that businesses underreport on an annual basis?

Finally, Mr. Chairman, as a matter of fairness, the IRS should not require low-income Americans to meet a higher standard than every other taxpayer, while at the same time they fail to crack down on fraud in business and higher income taxpayers.

I call on my colleagues to join me in support of the Cooper-DeLauro-Kilpatrick amendment.

HONORING DR. LOUISE R. D'OLIVEIRA

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor Doctor Louise R. D'Oliveira, a talented and caring constituent of mine who recently passed away.

Dr. D'Oliveira, a native of Louisiana who came to the United States from South Africa in 1980, was an ordained Methodist minister and devoted her life to helping those less fortunate than herself. She directed the Women's Christian Center in Tampa and was an advisory board member of Everybody's Tabernacle-Homeless Emergency Project in Clearwater. This organization helps hungry and homeless individuals who have nowhere else to turn in their greatest times of need.

Louise also was considered one of the world's foremost adult literacy experts. She chaired the African Division of Laubach Literacy and also founded and directed Operation Upgrade South Africa, programs which helped untold numbers of adults worldwide learn to read. She also authored several books about Africa and her native Louisiana. In addition, she was an Army veteran of World War II.

Mr. Speaker, the world lost a wonderful woman and dedicated advocate for learning when Louise D'Oliveira's earthly life ended. However, I am certain that, wherever she is today, she is sharing her wisdom and knowledge with whomever she encounters.

TRIBUTE TO REVEREND EUGENE FENTON

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. McINNIS. Mr. Speaker, I rise before this body of Congress today to pay tribute to an outstanding citizen and a devoted spiritual leader. Reverend Eugene Fenton of La Junta, Colorado has served as a minister for twenty-five years. Before joining the ministry, Eugene worked for twenty-five years as a plant manager and industrial engineer. His devotion, hard work, and humility inspire those around him, and his dedication to his career shows a spirit of loyalty all too rare in today's society. I rise to honor his service here today.

Eugene is the pastor at Trinity Lutheran Church in La Junta. He has served all across this country as a pastor, teacher, coach, and counselor. He came to La Junta after trying to retire and finding that he still wanted to work. His parishioners refer to him as a ''God send'' whose tireless work has strengthened and uplifted their church.

Eugene's remarkable loyalty is shown not only by the twenty-five years he has devoted to the ministry, but also by the twenty-five years he devoted to his career as a plant manager and industrial engineer before he took up his pastoral studies. Eugene leads by example and often draws on his experiences to better relate to his parishioners.

Mr. Speaker, Eugene Fenton is the kind of devoted leader our community looks to for guidance and inspiration. He has devoted twenty-five years to his chosen career guiding his parishioners. I am honored to join with my colleagues today to thank him for his tireless work and to wish him the best of luck as he continues to serve the community that he loves so much.

PERSONAL EXPLANATION

HON. JIM DeMINT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. DEMINT. Mr. Speaker, I was absent during rollcall votes 463, 464, 465, 466, 467, and 468. Had I been present, I would have voted ''nay'' on rollcall vote 463. I would have voted ''yea'' on rollcall vote 464. I would have voted ''yea'' on rollcall vote 465. I would have voted ''nay'' on rollcall votes 466, 467, and 468.

TRIBUTE TO JOHN MYSZAK

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. FARR. Mr. Speaker, I rise today to honor Mr. John Myszak, a teacher of 39 years, who passed away Tuesday, July 8th of cancer at the Community Hospital of the Monterey Peninsula. During his lifetime Mr. Myszak was an outstanding member of the local community. He will be sorely missed by his wife of twenty years, Martha Myszak; two daughters Stephanie Hulsey and Donna Wenger; three stepdaughters, Vauncia Parker, Valeria Alexander and Marsheila DeVan; and eight grandchildren.

Mr. John Myszak was born on October 6th, 1934 in Flint, Michigan. He earned a bachelor's degree from California State University at Hayward and a master's degree in education from San Jose State University. He served in the United States Marine Corps and taught in the Pacific Grove Unified School District for twenty-one years, in addition to working part time as an instructor at Monterey Peninsula College.

During his twenty-eight years living in Seaside, he served as a member of the California Teacher's Association, the National Teacher's Association and the CSU-Monterey Bay Teacher Education Committee. As well as being involved with local education issues, Mr. Myszak was a member of St. John's Episcopal Chapel, John Paul II Foundation of Monterey, Friendship Circle and the Parade of Nations. In his free time he enjoyed his work as a docent for the Monterey History and Arts Association, gardening, writing and ballroom dancing.

Mr. Speaker, today I wish to join the local community and Mr. John Mysazk's family and friends in honoring the life of such a commendable teacher, father and citizen.

CELEBRATING THE 100TH ANNIVERSARY OF DURAND UNION STATION

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to celebrate the one hundredth anniversary of Durand Union Station as October 4, 2003 will mark its historic birthday. In the last century, Durand Union Station has survived fire, neglect, dilapidation, and even the wrecking ball. Over the years, the proud citizens of my district have banded together to restore and preserve this local treasure.

In 1903, construction began on Durand Union Station, at a cost of $60,000 the rail depot was an architectural marvel. The Chateau Romanesque style depot was constructed of Missouri granite brick with an interior of oak woodwork and wainscoting of Tennessee marble. However, just eighteen months after its construction, fire tore though the boiler room of the station in April of 1905. Firefighters had the blaze contained until the Eastbound train forced the firefighters to pull their hoses back across the tracks and allow the train to pass. The fire of 1905 destroyed nearly all of Durand Union Station.

After being rebuilt, Durand Union Station served the people of Michigan until 1974. Unfortunately, the struggling railroad industry forced Grand Trunk Western Railroad to completely abandon the building in 1974. Consequently, Durand Union Station was stripped, gutted, vandalized and ready for demolition. But, state and local officials along with the citizens of Durand determined to restore the building were able to save Durand Union Station at the demolition zero hour.

Today, Durand Union Station has been preserved and restored by Durand Union Station, Inc., a nonprofit corporation founded to manage the historic building. The Michigan Legislature has designated Durand Union Station as the natural site for the Michigan Railroad History Museum and Information Center. Under the leadership of Durand Union Station Inc., the station is slated to undergo nearly $4 million in improvements and expansion.

Mr. Speaker, I would like to ask my colleagues to join me in celebrating the one hundredth birthday of Durand Union Station. Over the past one hundred years, the station has become a monument to the American spirit. The people of Durand, Michigan have overcome numerous setbacks in their quest to preserve this wonderful Michigan landmark.

PERSONAL EXPLANATION

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. ABERCROMBIE. Mr. Speaker, yesterday, September 4, I was unable to cast my vote on two recorded votes. Had I been present, I would have voted as follows: Rollcall vote No. 474—''yes,'' and rollcall vote No. 475—''yes.''

REMEMBERING SERGIO VIEIRA DE MELLO

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Ms. LEE. Mr. Speaker, on August 19, 2003, Kofi Annan, the Secretary-General of the United Nations, lost a trusted envoy and the world lost a skilled peacemaker. Sergio Vieira de Mello was killed in the bombing of the United Nations headquarters in Baghdad. Among his dying words was a plea that the United Nations mission there go on.

Sergio Vieira de Mello was a native of Brazil but a citizen of the world. From Bangladesh to Sudan to Cyprus, from Mozambique to Lebanon to Bosnia and Kosovo, to East Timor, and finally to Iraq, Mr. de Mello's resume reads like an atlas of some of the world's most troubled and dangerous places. It is also a list of accomplishment and achievement.

As the Secretary-General's special envoy to Iraq, on leave from his position as U.N. High Commissioner for Human Rights, Mr. de Mello saw his role as helping to return the governing of Iraq to the hands of its people.

At his funeral, Secretary-General Annan bade Mr. de Mello a fitting tribute as he said goodbye: ''Sergio, my friend, you have entered the pantheon of fallen heroes that the United Nations wishes it did not have. You will shine forever among our brightest stars. May you rest in peace.''

TRIBUTE TO RAY MACHT

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. McINNIS. Mr. Speaker, it is with a solemn heart that I rise today to recognize the life and passing of one of my district's most prominent and accomplished ranchers. Ray Macht was a lifelong community leader in Archuleta County and is credited with founding the Archuleta County Fair. In addition to having a wealth of agricultural knowledge, Ray's reputation preceded him throughout the county as a kind and honest man. I would like to take this opportunity to pay tribute to Ray for the contributions that he made to the State of Colorado.

Ray's ancestors have lived in the Pagosa Springs area since 1883, when his grandmother first brought the family across the Continental Divide. Ray stayed close to his family after graduating from Pagosa Springs High School and subsequently attending Fort Lewis College, where he met his future wife, Genelle. The two were married in 1933. Ray and Genelle maintained their involvement in the Archuleta County community by serving as 4-H leaders for 25 years, as well as serving on numerous local boards and organizations. 4-H awarded Ray their ''Western Heritage'' honor in 1999 in recognition of his expertise and commitment.

Mr. Speaker, it is with great pride that I rise before this body of Congress today to recognize the lifelong contributions that Ray Macht made to my district. Ray will be remembered for his devotion to his community, a legacy that will live on through the Archuleta County Fair. While he will be dearly missed, we can all take solace in the knowledge that Ray's spirit lives on through those whom he has touched.

HONORING THE LIFE OF VINCENT A. BRUNI

HON. THOMAS M. REYNOLDS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. REYNOLDS. Mr. Speaker, I rise before the House of Representatives today to honor the life of Vincent A. Bruni. As a prominent figure within the Rochester community, Mr. Bruni shared his vision and his love for music with others for over fifty years.

Mr. Bruni, more commonly known as ''Mr. B,'' raised the drum and bugle corps movement in North America to new and exciting levels. The Bruni name is synonymous with modern-day drum corps, in part because Mr. Bruni dedicated his life to entertaining people all over the country and all over the globe.

Always one to give back to the community, Mr. Bruni led his national and world champion Empire Statesmen Drum and Bugle Corps in local parades, winter and spring concerts, and in efforts to support high school bands and other groups throughout Western New York. As a result of the heart and soul he demonstrated and instilled in others, the Empire Statesmen became the only corps in history to win the Triple Crown: the American Legion, Drum Corps Associates, and World Show Band championship titles all in one year.

For decades, Mr. Bruni represented the City of Rochester, New York proudly with his unfaltering commitment to teaching children and adults of all ages. His lessons were not simply about music, but about what it means to work hard as a team, have pride in what you do, and how to stand tall in the face of great adversity. Musicians, performers and fans of drum corps all around the world know ''Mr. B'' as a man of integrity, someone that others will continue to strive to be like even now that he is gone.

Vince Bruni will be remembered as a true patriot—someone who loved serving his country as a veteran of the United States Navy, as a schoolteacher, but most importantly as an entertainer. Mr. Bruni has done Rochester and America proud, and while he will be sorely missed, he will forever be remembered by the countless people whose lives he touched over his long and distinguished career.

HONORING DONNA AND GIOVANNI SCALA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. THOMPSON of California. Mr. Speaker, I rise to recognize two extraordinary humanitarians from my congressional district whose philanthropic efforts will ensure that hundreds of individuals and families in our Napa Valley will not go to bed hungry tonight.

On September 6th, our community will be celebrating the 10th Annual Hands Across the

Valley benefit to raise critical funds for local safety net food programs. This extremely successful event which has meant the difference between food and hunger for many Napa County residents would not exist if it were not for the vision and hard work of Donna and Giovanni Scala. What began in their kitchen at their world-renowned restaurant Bistro Don Giovanni ten years ago has blossomed into a national role model that has raised over $1.3 million for our community's most vulnerable members.

Donna and Giovanni have made countless contributions toward improving the community they are so much a part of and love. It seems that every time there is a need, they are there with a donation. None, however, have been as significant and far-reaching than their efforts regarding this annual event.

Mr. Speaker, I was honored to take part in the first Hands Across the Valley event in 1994 when we tossed pizzas in the Scala's kitchen for 500 guests and raised $30,000. Thanks in large part to Donna and Giovanni's continued support, this year's event is expected to be bigger and more successful than ever before, with nearly 2,000 guests and volunteers working together to raise more than $200,000 to ensure none of our neighbors are without food.

Donna and Giovanni Scala put their heart and soul into this event because they understand its importance. They know that not everyone has shared in our nation's prosperity. They understand that nearly half of those seeking assistance from Napa's food pantries and soup kitchens are children and that nearly one out of every three families seeking help does not have an oven or a refrigerator.

Mr. Speaker, I believe it is fitting and appropriate to honor the commitment and integrity that Donna and Giovanni Scala have given our community for so many years. We are all better off because of their efforts.

AGAINST A CONGRESSIONAL COST-OF-LIVING INCREASE

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. MORAN of Kansas. Mr. Speaker, I rise in opposition to a cost-of-living increase for Members of Congress. Across our country, the struggling economy is hurting businesses and leaving many without jobs. Latest projections show the national debt climbing to an unprecedented level. We should set an example by voting against this pay increase. Fiscal discipline must start with Congress.

In addition, by not allowing a regular yes-or-no vote on this provision, we simply add to the impression that too many people have about Congress. If Congress is to vote itself a raise in pay, it should be done in full view of the American public, not through a quiet procedural motion.

This process needs to be reformed. Members of Congress should not be able to receive an automatic cost-of-living increase. Each of us should be on the record with the citizens of our districts whether we believe an increase to our own salaries is justified.

TRANSPORTATION, TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2004

SPEECH OF

HON. JO ANN DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2989) making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2004, and for other purposes:

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, I rise today to voice my opposition to an increase in Member's of Congress salaries. During these difficult economic times at all levels of government and with increasing federal deficits, I believe we should not be raising our own salaries.

Yesterday the House considered the Rule for the Transportation and Treasury, and Independent Agencies Appropriations Bill for FY 2004. While this bill does not include any provision related to an increase in pay for Members of Congress (the Member COLA is automatic each year under existing law), by tradition when Congress has blocked the Member COLA, the blocking provision has been included in this bill.

Because blocking the Member COLA would constitute a change in existing law, an amendment to block the COLA would be subject to a point of order on the floor, and therefore not allowed. Since the Rule does not permit a waiver from the point of order for such an amendment, the House in recent years has taken a vote on the previous question on the Rule. Yesterday I voted ''no'' on the previous question in an attempt to defeat the measure so that an amendment to the Rule to block the Member cost-of-living allowance could receive an up or down vote.

Unfortunately, the measure passed and the rule was not therefore amendable. In light of various factors, most importantly a 4.1 percent pay raise for our civilian workforce and to remove Ghost Fleet ships in my District, I am left with no recourse except to vote for the final passage of the Transportation/Treasury Appropriations Act. If I had the opportunity to vote directly to eliminate this year's cost of living adjustments for Members, I would most certainly do so.

TRIBUTE TO MR. P. GREY CANE, JR.

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. BONNER. Mr. Speaker, I rise today to pay tribute to the life of a good man, a proud American and a fine member of the South Alabama community, Mr. P. Grey Cane, Jr., who passed away on Saturday, August 9th, at his home in Fairhope, Alabama.

A solid businessman and a true community leader, Grey Cane was loved by his family and friends and respected by his peers.

Grey was known for his generosity, not only for those he knew well but also for those whom he had never met. Throughout his life, Mr. Cane worked for the preservation of Alabama's treasured waterways which have for many years provided immense enjoyment to tens of thousands of residents and tourists. His love of the outdoors and his passion for preserving our waterways will never be forgotten.

As a young man, Grey founded KEMKO, Inc., a company providing construction, building, and roofing materials. His employees felt a strong loyalty to Mr. Cane and often spoke highly of his giving nature and attentiveness to their needs.

Mr. Cane also had a strong and independent spirit which made him both a tough negotiator and successful businessman. However, Grey Cane never allowed his many successes to be used simply for his own good.

At times, he used the KEMKO warehouses as depositories for extra building supplies and allowed those in need to take what was considered necessary from storage. In addition to his generosity, Grey Cane had a way that made everyone who came in contact with him feel special, a rare quality in today's times.

A sportsman at heart, Mr. Cane devoted tremendous amounts of time and energy to the establishment of the Coastal Conservation Association (CCA) of Alabama and, subsequently, the Eastern Shore chapter of the same organization. Those close to him note the zeal he had for the cause of environmental protection and the tenacity with which he fought for this worthy cause. Grey Cane realized the importance of preserving our natural habitats and continued fighting for this cause throughout his entire life. In recognition of his charitable gifts and his lifelong dedication to the cause of environmental conservation, the CCA recently honored Mr. Cane by renaming a thriving coastal reef in his honor.

Through his charitable contributions to society, his strong dedication to protecting and preserving Alabama's waterways, fisheries and natural resources, and his generosity to his friends, family, and coworkers, Mr. Cane leaves a lasting and memorable mark onall of Alabama's Gulf Coast region. I am proud to have called him my friend.

Mr. Speaker, P. Grey Cane, Jr., is survived by his wonderful wife of almost 50 years, Katchie, a son, Peter Grey Cane, III, a daughter, Laura Cane Armstrong, two grandchildren, two step-grandchildren, one sister, an aunt and nieces, nephews and other relatives. May his family know that they are in the thoughts and prayers of many who loved and appreciated Grey Cane as they did.

PAYING TRIBUTE TO DAVE HOART

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. McINNIS. Mr. Speaker, I stand before this body of Congress and this nation to honor the career of a great man from my district. After twenty years of service, Dave Hoart, of Texas Creek, Colorado, is retiring from his post at the Division of Wildlife. Dave's invaluable contributions to the community will be missed, and I stand before you here today to honor his service.

Dave began his position as the Custer County District Wildlife Manager in 1983. Selflessly, Dave attributes all of his success over

the years to the community and not to his own actions. He has seen a great deal of change in the region during his term, serving as the person residents call when they have a question about any new developments in wildlife patterns. During Dave's tenure, the area has been transformed from a primarily small agricultural community to a larger, less-rural community.

Mr. Speaker, it is people like Dave, and their willingness to dedicate so much of their lives to the betterment of the nation, that make America so great. His excellent rapport with the community and his expertise will be extremely difficult to replace. I wish him the best with all of his future endeavors.

INTRODUCTION OF THE IMPROVING THE COMMUNITY SERVICES BLOCK GRANT ACT OF 2003

HON. TOM OSBORNE

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. OSBORNE. Mr. Speaker, today I am pleased to introduce the ''Improving the Community Services Block Grant Act of 2003'' to reauthorize the Community Services Block Grant (CSBG) program.

The CSBG is an anti-poverty block grant that funds a state-administered network of over 1,100 public and private community action agencies delivering social services to low-income Americans. The CSBG Act was established in 1981 in response to President Reagan's proposal to consolidate the Community Services Administration and 11 other anti-poverty programs.

Block grant funds may be used for a wide-range of anti-poverty activities to help families and individuals achieve self-sufficiency. Such activities may include providing assistance in finding and retaining employment, obtaining adequate housing, and providing emergency food services. The CSBG also includes funding for certain discretionary activities, including community economic development, rural community facilities improvement, the community food and nutrition assistance, and the national youth sports program. The CSBG program is an essential tool in meeting the unique needs of each area and serves as a conduit for community services.

The bill I am introducing today would build upon improvements made to the program during the last reauthorization. It would promote increased quality by requiring states to re-evaluate whether the lowest performing grantees should continue to receive funding. It modifies the current grandfather provisions that are tied to the definition of eligibility that guarantee funding for current grantees to a provision giving all current grantees a priority for continued funding based on their ability to meet grantee determined goals.

This bill promotes increased accountability by ensuring that states are monitoring local grantees to ensure services are being provided in the most efficient manner and that services are reaching those with the greatest need. The bill also requires the development of local grantee determined goals that each local grantee is responsible for meeting.

The bill further encourages initiatives to improve economic conditions and mobilization of new resources in rural areas to help eliminate obstacles to the self sufficiency of families and individuals in rural communities, and expands opportunities for providing youth mentoring services to encourage education, life skills training, and youth crime prevention.

Finally, the bill continues the CSBG grants and discretionary programs at current authorization levels and extends them through FY 2009.

Mr. Speaker, I urge my colleagues to back this important legislation that supports improved services for low-income individuals and families.

TRIBUTE TO JACK POLLARD—A LIFETIME OF PUBLIC SERVICE

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. SKELTON. Mr. Speaker, today I rise to recognize an outstanding individual who has served this House for as long as I have—more than 26 years. Jack Pollard, who has worked on my personal staff and as a staff member on the House Armed Services Committee staff, recently retired from Federal service to pursue new opportunities in the private sector.

It's fair to say that I have known Jack for his entire life. Jack was born in Kansas City, Missouri, and grew up in Lexington, Missouri, which is also my hometown. Our fathers were great friends from way back, so the Pollard family has always been a part of my life.

Jack graduated from Lexington High School and attended the University of Missouri at Columbia where he earned A.B. and J.D. degrees. Following his graduation from Law School, he worked in Jefferson City as a research analyst and legislative counsel for the Missouri General Assembly's Committee on Legislative Research.

Jack served on active duty with the U.S. Army from 1968 to 1970. His service included 13 months in Vietnam as a member of the 101st Airborne Division. He was awarded the Combat Infantryman's Badge and the Bronze Star (Meritorious Service) during his Vietnam tour.

After I was elected to Congress in 1976, Jack came to Washington to work on my staff as legislative director, and he has been with me ever since. He was my longtime chief of staff and most recently served as Democratic counsel on the House Armed Services Committee.

I believe that I must be one of the most fortunate people ever to serve in the U.S. Congress because I have been blessed with a staff member and a friend like Jack—a man who is not only talented and hard working, but who has also demonstrated his extraordinary loyalty time and again through the years. I have come to rely upon his sound judgement, his policy recommendations, and his broad expertise on matters both large and small.

For me, Jack epitomizes all that is good about the thousands of Americans who dedicate their lives and their considerable talents to public service. I will miss his daily advice, counsel, and calm demeanor, but I wish him, as well as his wife Beth and children Leslie and Michael, the very best as Jack begins his next career. I know my colleagues join me in thanking Jack for his years of distinguished service to the U.S. House of Representatives.

IN RECOGNITION OF ST. MARY OF THE SPRINGS ACADEMY ON THE OCCASION OF THE UNVEILING OF A HISTORICAL MARKER

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. TIBERI. Mr. Speaker, I am pleased to help recognize the Dominican Sisters of St. Mary of the Springs Academy and the alumnae of the Academy.

Central Ohio takes pride in its history and appreciates the tremendous contribution to our community and nation by the Dominican Sisters of St. Mary of the Springs Academy through the education and development of our young people. Over a hundred and seventy years have passed since you began the effort to educate Ohio's youth, regardless of creed.

Your success in providing an outstanding academic foundation is personified in your illustrious alumna, Anne O'Hare McCormick. Her contributions to journalism testify to the quality scholarship demanded by the Dominican Sisters.

May this bicentennial plaque honoring the Academy's faculty and alumnae, living and deceased, and their outstanding fellow alumna Ms. McCormick stand as a reminder to all those who see it that our nation has always cherished the pursuit of educational excellence.

Congratulations on the installation of the historical marker.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2004

SPEECH OF

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 25, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2861) making appropriations for the Departments of Veterans' Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes:

Mr. UDALL of New Mexico. Mr. Chairman, I rise today with great disappointment in what occurred in the House today with regard to the veterans' budget.

Last spring, the original budget resolution passed in the House by a narrow vote reduced funding for veterans medical care by a total of $28 billion over ten years, a far cry from what is needed for the health of our veterans today. After much debate about the veterans' budget, many members of this body—including every member of the House Veterans' Affairs Committee—fought to increase the amount of funding for veterans in the budget resolution to at least the amount promised by the Senate. Thankfully, after a hard

fight, the budget resolution that eventually came out of conference increased mandatory funding, but left discretionary programs, such as medical care, subject to cuts in future years.

When the joint budget resolution came out of conference, those of us in the House who had been fighting against cuts for veterans health care were encouraged that by engaging in constructive dialogue with leaders of the House, we could come to a resolution that would not leave veterans out in the cold. Today, that sense of encouragement is gone.

Today, the House Rules Committee refused to even consider amendments that would have added veterans' health care funding to a seriously deficient VA–HUD Appropriations bill. I am baffled as to why the Committee would not even allow consideration of an amendment that would have brought funding to the previously promised amount. The amendment, offered by the Chairman and Ranking Democratic Member of the Veterans' Affairs Committee with the support of the Chairman and Ranking Member of the Committee's Health Subcommittee, was clearly bipartisan and would have added $1.8 billion to veterans health care—the amount agreed to in our final budget resolution.

The President and some of the leaders of this House defend their poor records of veterans health care by claiming that they increased the funding, so that should be good enough. It doesn't take a professional policy degree to figure out that our veterans who served, and continue to serve our country so honorably, are aging. They need clinics. They need doctors. They need appointments to see those doctors soon, not in six months. The need is increasing, but the funding is not keeping up with it. We promised we would help them, and today, this grossly inadequate appropriations bill breaks that promise.

My vote against the VA–HUD Appropriations bill is not only a protest against this harmful cut in health care for our nation's bravest, but also a statement against the promises broken by this body. As my colleague, Representative ROBERT SIMMONS, on the House Veterans' Affairs Committee stated earlier, ''an officer's word is his bond.'' It is a meaningful phrase to many veterans, and one that I hope the House of Representatives can live up to in the future when considering funding for the well being of our veterans.

PAYING TRIBUTE TO FRANK EVANS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. McINNIS. Mr. Speaker, I rise before this body of Congress and this nation today to pay tribute to a great American and a former United States Representative for Colorado's Third District. Frank Evans of Beulah, Colorado will celebrate his eightieth birthday this Saturday, and I am pleased to join with my colleagues in wishing him well on this momentous occasion.

Frank was born in Pueblo back in 1923 and has lived a life devoted to serving others. Frank first answered the call to service when he bravely fought to uphold the cause of freedom as a Navy patrol pilot during World War II. After returning home, he practiced law in his native Pueblo. Drawn to a life of public service, Frank served in the Colorado State Legislature for four years and then went on to represent the Third Congressional District of the great State of Colorado in this prestigious body. Frank selflessly served the constituents of my district for fourteen years before choosing to leave the Congress. All told, Frank spent eighteen years faithfully representing his fellow citizens of the State of Colorado.

Mr. Speaker, as Frank Evans prepares to celebrate his eightieth birthday, I am privileged to pay tribute to his remarkable life and numerous accomplishments. Frank dedicated many years of service to his friends and neighbors in Colorado. In both the Colorado State Legislature and in this body of Congress, Frank diligently served to meet the needs of his constituents. I am honored to join with my colleagues today in wishing Frank a happy birthday and many more great years ahead.

CONGRATULATING THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS

HON. SHERROD BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. BROWN of Ohio. Mr. Speaker I would like to congratulate the International Brotherhood of Teamsters as they commemorate their 100th anniversary tomorrow, Saturday, September 6, 2003.

The issues the Teamsters have fought for and won over those 100 years are the issues that have strengthened America: equal rights for all workers, regardless of color, creed, or gender; a 40-hour work week; a pension for retirement; paid holidays; employer sponsored healthcare; equal pay for women.

As corporate raiders continue to turn a deaf ear to the needs of America's working families, the 1.4 million members of the Teamsters continue to ensure that the voices of American labor are heard.

I know that in the next 100 years, we can count on the Teamsters to continue their work against unfair trade commitments, from CAFTA to the WTO, that continue to hurt working families in the U.S. and abroad; to continue to protect our roadways from unsafe foreign trucks; to continue protecting the health and safety of America's workforce; and to fight against the current administration's attempts to disqualify hundreds of thousands of Americans from receiving the overtime benefits they fought so hard to gain.

The Teamsters are needed now more than ever as some corporations break labor laws and fight union organizing as they ship jobs out of this country by supporting trade agreements that exploit workers' rights across the globe.

I congratulate the Teamsters on their 100 years of commitment to America's working families, and wish them well in the next 100 years.

RECOGNIZING THE 100TH ANNIVERSARY OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. OBERSTAR. Mr. Speaker, a centennial is an occasion for celebration, in which spirit it is my pleasure to congratulate the International Brotherhood of Teamsters on the occasion of their 100th anniversary. Founded on September 6, 1903, the Teamsters union has grown to become one of the largest and most diversified labor unions in the United States.

Originating as a group representing the men who drove horse-drawn wagons to deliver freight, the Teamsters have grown and changed with the times. In the early decades of the 20th Century, the Teamsters adapted by also representing the drivers of motor trucks. By the beginning of the 21st Century, the Teamsters had diversified to represent truckers, airline workers, building material and construction trades, dairy and food processing employees, parcel and small package workers, public employees working for local governments, and a variety of other workers. With a membership of 1.4 million, one out of every ten union members in the United States is a Teamster.

The Teamsters have served as a model for improving working conditions and wages for the American worker. In 1900, the typical Teamster worked 12 to 18 hours a day, 7 days a week, for an average wage of $2.00 a day. Worker benefits that did not exist 100 years ago—the 40-hour work week, a retirement pension, paid holidays, and employer-sponsored healthcare—have become the norm for most of American labor, in large part because of the work of the Teamsters.

I congratulate the Teamsters organization on their 100-year long effort to continually improve the quality of life for millions of American workers. To each of their members and their General President, Jim Hoffa, I extend my thanks for their contributions to a strong and productive economy. The Teamsters have my best wishes for their second century.

INSTALLATION OF LOUISE ''BEBE'' CANTER AS PRESIDENT OF THE INDEPENDENT INSURANCE AGENTS & BROKERS OF AMERICA

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. CANTOR. Mr. Speaker, I rise today to commend Louise ''Bebe'' Canter, who will be installed as President of the nation's largest insurance association—the Independent Insurance Agents & Brokers of America (IIABA)—later this month in Las Vegas. Bebe is senior vice president of Patterson/Smith Associates in Falls Church, VA.

She has enjoyed a distinguished career as an independent insurance agent which has been highlighted by her tireless service and dedication to her clients, community, IIABA, the Metropolitan Washington Association of

Independent Insurance Agents (MWAIIA), and her colleagues across the country.

Bebe was elected to IIABA's Executive Committee in October 1998 and was honored by her peers when they named her President-elect last fall in New Orleans.

Bebe's service to her peers began with her involvement with the Metropolitan Washington Association. She served as MWAIIA's president and as the organization's representative to IIABA's National Board of State Directors. In recognition of her outstanding service, MWAIIA named her its 1991 Agent of the Year.

In addition to her position on the IIABA Executive Committee, Bebe also serves as a member of the Association's Large Agents & Brokers Roundtable.

Her other industry volunteer work includes service as a member of the D.C. Society of CPCU's Board of Directors and the Standard & Poor's Agent Advisory Council, and chairman of the CNA Branch PACER Agent Panel and the Southern Agents Conference.

Among Bebe's community involvement is service as a member of Howard University's Scholarship Committee.

I am proud of Bebe's professional and community service accomplishments and know she will serve her fellow agents with distinction and strong leadership to further the worthy and noble cause of independent insurance agents and brokers. I bid her a successful year as president of the Independent Insurance Agents & Brokers of America. I wish her all the best as IIABA President. Congratulations Bebe!

THE NATIONAL MINORITY MEDIA OPPORTUNITIES ACT

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. MENENDEZ. Mr. Speaker, I am pleased to be joined by my colleague, JOHN CONYERS, Ranking Member of the House Judiciary Committee, to introduce The National Minority Media Opportunities Act. And I want to thank Senator KENNEDY for his leadership on this issue and for introducing the companion bill in the Senate.

This bill would require the Federal Communications Commission (FCC) to hold public hearings, with notice and opportunity to comment, before approving the transfer of a license for a station serving a minority-language audience. It also requires the FCC to report to Congress on issues involving the concentration of ownership and control of minority-language broadcast media and the effects of excessive concentration on competition and diversity in these minority-language markets.

The need for this bill has become crystal clear as Chairman Powell continues to try to ram through a huge Spanish-language media merger between Univision and HBC, with no opportunity for public input, with no public deliberation, and with no regard for the impact this mega-merger will have on Hispanic consumers or the Spanish-language media market.

The Third Circuit Court of Appeals has stayed the FCC's new Media Ownership rules, which Chairman Powell has espoused as providing more protection for minority consumers. So why is it that he is now ramming through a decision on the Univision/HBC merger under the old rules, with no public hearings, and without even a public vote? The only obvious explanation seems to lie in an analysis of political contributions filed with the Federal Election Commission (FEC). Otherwise, there is simply no reason to rush this controversial merger through without adequate public review and without a public vote by the FCC.

The Congress has spoken on the Media Ownership rules, voting to repeal portions of the rule. And now the Congress has spoken on the process by which this ill-advised merger is being considered.

Chairman Powell and the Republican Commissioners owe us some explanations. They owe Congress an explanation of why they have disregarded our requests for openness and public accountability in their decision-making process. They owe the Hispanic community an explanation of why they insist on approving a mega-merger that could have serious consequences for the diversity of information they receive. And they owe the general public an explanation of why they have made the decisions they have made, without any opportunity for meaningful public input and without even a public vote on the issue.

Chairman Powell, you owe it to the Hispanic community to protect our interests. If you're not going to do that, then—at the very least—you owe us an explanation of why you've deserted us.

IN MEMORY OF MR. PAUL SHEPARD

HON. MARY BONO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mrs. BONO. Mr. Speaker, I rise to honor the memory of a beloved member of the Palm Springs community and a dear friend, Mr. Paul Shepard.

This tragic, untimely and unexpected loss will impact not only those who knew and loved Paul, but also, the entire desert community. Paul was one of those rare and precious individuals who truly made a difference in the lives of those who were fortunate enough to meet him, and even some who never had that pleasure. He was a leader in the fight against AIDS, an accomplished real estate professional, a dedicated athlete and an active supporter of numerous charitable causes and service organizations.

Of course, words alone cannot describe the joy that one felt when sharing time with Paul. His warmth and encouraging nature were instantly conveyed when he would greet you with a smile and hug. A remarkably thoughtful person, Paul always seemed to make everyone feel that he was completely focused on their interests, whether in personal or business relationships.

As one of the Coachella Valley's most respected and successful Realtors, Paul Shepard achieved the kind of professional stature that many aspire to but few attain. During his career, he was selected by his peers to serve several times as Director and President of the Palm Springs Board of Realtors. In addition, he was named ''Realtor of the Year'' and served also as the Director for the California Association of Realtors and the National Association of Realtors.

However, his business success was only one facet of this talented man. Paul used his abilities to help those in our community who were truly in need. He was an active member of the Palm Springs Chamber of Commerce for more than 25 years, served as a member of the City's Parks and Recreation Committee, and on the Steve Chase Humanitarian Awards Gala Committee, and was an integral part of the Steve Chase Program Committee's yearly success.

But, perhaps the one organization that was closest to his heart was the Desert AIDS Project in Palm Springs. Paul was a tireless and passionate advocate for this worthy organization that daily makes lives better for those afflicted with this most challenging disease. As a testament to his commitment to this organization, the Desert AIDS Project has established a special fund in his name. I can think of few tributes that would be more fitting.

I also want to express my condolences and recognize those that Paul loved; his life partner of 25 years, Daniel C. Hall, his mother, Jane Andrews, and sister, Jackie Cadell, and two brothers, Thom and Steve Shepard, along with his stepfather, Gordon Andrews.

Mr. Speaker, today I stand in honor of my friend Paul Shepard. The sadness I feel when I reflect on his passing is softened only by the great respect I have for the legacy he leaves after a life fully lived. I yield back the balance of my time.

PERSONAL EXPLANATION

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. SHERMAN. Mr. Speaker, I was unavoidably detained during rollcall vote 475. Had I been present, I would have voted ''aye.''

PERSONEL EXPLANATION

HON. WILLIAM J. JEFFERSON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. JEFFERSON. Mr. Speaker, on Friday, July 25, 2003, I was unavoidably detained and missed Rollcall vote No. 445, final passage vote on H.R. 2427, a bill to authorize the Secretary of Health and Human Services to promulgate regulations for the reimportation of prescription drugs, and for other purposes. If I had voted, I would have voted ''no.''

AUTOMOBILE LEASE PROTECTIONS UNDER THE SOLDIERS AND SAILORS CIVIL RELIEF ACT

HON. STEVE BUYER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. BUYER. Mr. Speaker. Today I am introducing legislation that will add automobile

leases to protections of the Soldiers and Sailors Civil Relief Act. Earlier this year, the House passed a restatement of this important legislation. I believe my legislation adds an important provision that should not be left unaddressed.

I would like to share with you a story of a young Marine reservist, currently attending Emory Law School. He was called to active duty as part of the recent mobilization and was then forced to take a leave from school. He didn't have a problem with this, it was part of his duty. However, he was concerned that he was going to suffer a financial loss because of his car lease. Being unmarried, he would not need a vehicle while deployed, but because of his lease he would still have to pay a monthly payment. His other option was to buy the car from the credit company and then turn around and sell it, even though this would cause him to lose money. Because he knew that activated reservists could terminate an apartment lease, he contacted my subcommittee wanting to know if this applied to automobiles as well. Under current law it does not.

Although our estimates are that this probably only affected a couple of hundred service members during the most recent deployment, I think that is far too many. In an age when we have come to increasingly rely on our National Guard and Reserves, for them to be susceptible to this type of penalty is absurd. When we ask our men and women of the National Guard and Reserve Components to interrupt their lives go off to war, one thing they should not have to worry about is paying an additional price relating to an auto lease. I also want to thank the Auto Alliance for its input on and openness to this bill. As both a current member of the U.S. Army Reserves and Co-Chair of the National Guard and Reserve Components Caucus, I would like to invite my colleagues to join me in support of this legislation.

CHICAGO SPORTS HALL OF FAMER—EDWARD A. SPRINKLE—CELEBRATES HIS 80TH BIRTHDAY

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. LIPINSKI. Mr. Speaker, I rise this afternoon to pay tribute to an outstanding member of my community, Edward A. Sprinkle, in honor of celebrating his 80th birthday on September 3, 2003.

Edward Sprinkle was born and raised in Bradshaw, Texas and attended Tuscola High School where he started his long career in one of nation's greatest pastimes, football. In 1943, Edward Sprinkle entered the United States Naval Academy; however in 1944, he was recruited by the hailed Chicago Bears.

From 1944 to 1956, Sprinkle entertained many with his talents on the football field. Sprinkle was honored with the NFL All League Award six times throughout his career, played in four pro bowls, has been honored as one of the top 300 players in the NFL, and has also been inducted into the Chicago Sports Hall of Fame and the Helms Football Hall of Fame.

Besides his greatest achievements on the football field, Edward Sprinkle has many things to be thankful for off the field too. Edward Sprinkle was happily married to his lovely bride Marian Elizabeth Carlson for 57 years. Edward and Marian have three children, Edward Alan Sprinkle, Robert Steven Sprinkle and Susan Jane (Zima) Withers. They have five grandchildren: Steven, Alan, Jennifer, Elizabeth, and Paul, and two great-grandchildren: Steven and Jacob. Edward Sprinkle has worked for Inland Steel and owned his own company too, Ed Sprinkle Tile Company.

Mr. Speaker, I feel honored to be able to extend my heartfelt congratulations to Edward Sprinkle and his family as they celebrate Edward's 80th Birthday and continue to share in the many memories of football and wonderful family milestones.

TRANSPORTATION AND TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2004

SPEECH OF

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2989) making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2004, and for other purposes:

Mr. OXLEY. Mr. Chairman, I rise in opposition to H.R. 2989, the Transportation-Treasury spending bill for fiscal year 2004. While there are several important provisions in this legislation that I support, the bill also includes a provision that encroaches on the jurisdiction of the Financial Services Committee and undermines the public policy goals of the landmark Gramm-Leach-Bliley financial modernization law.

Title I of Gramm-Leach-Bliley, which Congress approved in 1999, allows financial holding companies and banks to engage in a broad range of activities that are considered ''financial in nature'' or complementary to such financial activities. In addition, GLB grants the Federal Reserve Board and the Treasury Department the ability to identify additional activities that they deem to be financial in nature or incidental to such activities, and therefore permissible for financial holding companies and financial subsidiaries.

Over two years ago, the Federal Reserve and the Treasury, acting under their grant of authority in GLB, issued a regulatory proposal to permit banks to conduct real estate brokerage and management activities. The National Association of Realtors, in an attempt to avoid a new source of competition and preserve their monopoly in the real estate brokerage business, launched a scorched earth lobbying campaign to derail the Fed-Treasury proposal. Bowing to this pressure, the Appropriations Committee has now adopted in two successive appropriations cycles language that prohibits the Federal Reserve and the Treasury from moving forward with their proposal, thereby denying consumers greater choices in obtaining real estate brokerage services and the benefits of increased market competition.

Legislative attempts to stymie the rulemaking process—particularly as part of the appropriations process—are counterproductive and undermine the future of any legislation that relies on the expert judgment of regulators for its implementation. The amendment that the Appropriations Committee has chosen to include in this bill serves only to needlessly delay innovation in the financial services industry and runs contrary to the clear congressional intent of GLB, which was to encourage free market competition and increase consumer choice.

COMMEMORATING AND CONGRATULATING THE TEAMSTERS UNION ON ITS 100TH ANNIVERSARY

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 2003

Mr. HOYER. Mr. Speaker, it is more than appropriate on this Friday afternoon of Labor Day Week that we recognize the enduring relevance and enormous contributions of the Teamsters Union, which tomorrow—September 6, 2003—celebrates its 100th Anniversary. It is an historical imperative that every American committed to justice and fairness must acknowledge.

Allow me to congratulate General President James Hoffa and all the men and women of the Teamsters on this important occasion. For through their hard work, all of us have benefited.

The 40-hour work week that we take for granted far too often in this nation was not a gift bestowed on us by corporate chieftains. It was a hard-won victory secured by the men and women in the organized labor movement, including the Teamsters Union, who literally built this nation through their blood, sweat and tears.

Paid holidays, including the three-day Labor Day Weekend. Health and safety regulations. Employer-sponsored health care. And employer-sponsored pensions. These are just a few of the monumental benefits brought to you by the Teamsters and organized labor movement.

Ever since its founding, the Teamsters have been at the forefront of the labor movement to improve the lives of working men and women and their families. The Teamsters fought for equal rights for all workers, regardless of race, creed or gender. The Teamsters fought for African-Americans who sought jobs traditionally held by white men at the beginning of World War One. The Teamsters fought for a woman's right to equal pay before suffrage was popular.

Today, the Teamsters Union—with 1.4 million members—continues to fight for working families, who simply want and deserve justice, dignity and opportunity. Only the uninformed would fail to recognize that many of the gains secured by the Teamsters over the past 100 years are at grave risk today—from the assault on the right of workers to collectively bargain, to attacks on overtime regulations, to the effort to gut compensatory time, to the failure to ensure that the minimum wage is fairly adjusted for inflation, and many more.

It's clear that, despite the Teamsters' great achievements over the last century, and all the advances that this great union is responsible for, its efforts on behalf of working American families must go on. And I know that is precisely what the Teamsters—under the tremendous leadership of General President Hoffa—intend.

Again, I congratulate President Hoffa and all Teamsters on this 100th Anniversary. Your efforts not only make us proud, they make us a better nation.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S11133–S11172

Measures Introduced: Five bills and two resolutions were introduced, as follows: S. 1584–1588, and S. Con. Res. 64–65. **Page S11161**

Measures Reported:

S. 1584, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004. (S. Rept. No. 108–143)

S. 1585, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2004. (S. Rept. No. 108–144)

Special Report entitled ''Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2004''. (S. Rept. No. 108–145)

S. 1166, to establish a Department of Defense national security personnel system and for other purposes, with amendments.

S. 1245, to provide for homeland security grant coordination and simplification, with amendments. **Page S11161**

Measures Passed:

Commending U.S. Armed Forces: Senate agreed to S. Con. Res. 64, to commend members of the United States Armed Forces for their services to the United States in the liberation of Iraq. **Page S11171**

Commending U.S. Army Third Infantry Division: Senate agreed to S. Con. Res. 65, to commend the Third Infantry Division (Mechanized) of the United States Army for its role in the liberation of Iraq. **Pages S11171–72**

National Worker Productivity: Committee on the Judiciary was discharged from further consideration of S. Res. 210, expressing the sense of the Senate that supporting a balance between work and personal life is in the best interest of national worker productivity, and that the President should issue a proclamation designating October of 2003 as ''National Work and Family Month'', and the resolution was then agreed to, after agreeing to the following amendments proposed thereto: **Page S11172**

Frist (for Hatch) Amendment No. 1583, in the nature of a substitute. **Page S11172**

Frist (for Hatch) Amendment No. 1584, to amend the title. **Page S11172**

Labor, Health and Human Services, Education Appropriations: Senate continued consideration of H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, taking action on the following amendments proposed thereto: **Pages S11134–50**

Pending:

Specter Amendment No. 1542, in the nature of a substitute. **Page S11134**

Byrd Amendment No. 1543 (to Amendment No. 1542), to provide additional funding for education for the disadvantaged. **Page S11134**

Akaka Amendment No. 1544 (to Amendment No. 1542), to provide funding for the Excellence in Economic Education Act of 2001. **Page S11134**

Mikulski Amendment No. 1552 (to Amendment No. 1542), to increase funding for programs under the Nurse Reinvestment Act and other nursing workforce development programs. **Page S11134**

Kohl Amendment No. 1558 (to Amendment No. 1542), to provide additional funding for the ombudsman program for the protection of vulnerable older Americans. **Page S11134**

Kennedy Amendment No. 1566 (to Amendment No. 1542), to increase student financial aid by an amount that matches the increase in low- and middle-income family college costs. **Page S11134**

Dodd Amendment No. 1572 (to Amendment No. 1542), to provide additional funding for grants to States under part B of the Individuals with Disabilities Education Act. **Page S11134**

DeWine Amendment No. 1561 (to Amendment No. 1542), to provide funds to support graduate medical education programs in children's hospitals. **Page S11134**

DeWine Amendment No. 1560 (to Amendment No. 1542), to provide funds to support poison control centers. **Page S11134**

DeWine Amendment No. 1578 (to Amendment No. 1542), to provide funding for the Underground Railroad Education and Cultural Program. **Page S11134**

Harkin Amendment No. 1580 (to Amendment No. 1542), to protect the rights of employees to receive overtime compensation. **Pages S11135–38, S11141–45, S11147–50**

During consideration of this measure today, the Senate also took the following actions:

By 41 yeas to 47 nays (Vote No. 328), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 504 of H. Con. Res. 95, Congressional Budget Resolution, with respect to Clinton Amendment No. 1565 (to Amendment No. 1542), to provide additional funding to ensure an adequate bioterrorism preparedness workforce. Subsequently, the point of order that the amendment would exceed discretionary spending limits and thus be in violation of section 504 of H. Con. Res. 95, Congressional Budget Resolution, was sustained, and the amendment thus falls. **Page S11135**

By 43 yeas to 46 nays (Vote No. 329), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 504 of H. Con. Res. 95, Congressional Budget Resolution, with respect to Harkin Amendment No. 1575 (to Amendment No. 1542), to provide additional funding for the Fund for the Improvement of Education. Subsequently, the point of order that the amendment would exceed discretionary spending limits and thus be in violation of section 504 of H. Con. Res. 95, Congressional Budget Resolution, was sustained, and the amendment thus falls. **Page S11135**

A unanimous-consent request was granted permitting Senator Coleman to change his nay vote to a yea vote on Vote No. 323 changing the outcome of the vote to 54 yeas to 42 nays relative to Dorgan/Inhofe Amendment No. 1553 (to Amendment No. 1542) on Wednesday, September 3, 2003. **Page S11154**

A unanimous-consent agreement was reached providing for further consideration of the bill at 1 p.m., on Monday, September 8, 2003. **Page S11172**

Messages from the House: **Pages S11157–58**

Executive Communications: **Pages S11158–61**

Additional Cosponsors: **Pages S11161–62**

Statements on Introduced Bills/Resolutions: **Pages S11162–70**

Additional Statements: **Pages S11156–57**

Amendments Submitted: **Pages S11170–71**

Authority for Committees to Meet: **Page S11171**

Record Votes: Two record votes were taken today. (Total—329) **Page S11135**

Adjournment: Senate met at 9:15 a.m., and adjourned at 3:39 p.m., until 1 p.m., on Monday, September 8, 2003. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S11172.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 19 public bills, H.R. 3016–3034, and 3 resolutions, H. Res. 356–358, were introduced. **Pages H8015–16**

Additional Cosponsors: **Pages H8016–17**

Reports Filed: Reports were filed as follows:

H.R. 2620, to authorize appropriations for fiscal years 2004 and 2005 for the Trafficking Victims Protection Act of 2000, amended, (H. Rept. 108–264, Pt. 1);

H.R. 2557, 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, amended, (H. Rept. 108–265); and

H.R. 253, to amend the National Flood Insurance Act of 1968 to reduce losses to properties for which repetitive flood insurance claim payments have been made, amended, (H. Rept. 108–266). **Page H8015**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Murphy to act as Speaker pro tempore for today. **Page H7951**

Energy Policy Act of 2003: The House rejected the Dingell motion to instruct conferees on H.R. 6, which was debated on September 4, by a yea-and nay-vote of 176 yeas to 211 nays, Roll No. 476.

Page H7953

On Thursday, September 4, the House disagreed to the Senate amendment to H.R. 6 and agreed to a conference.

Appointed as conferees: From the Committee on Energy and Commerce for consideration of the House bill and the Senate amendment, and modifications committed to conference: Tauzin, Bilirakis, Barton (TX), Upton, Stearns, Gillmor, Shimkus, Dingell, Waxman, Markey, Boucher, and Rush;

From the Committee on Agriculture for consideration of secs. 30202, 30208, 30212, Title III of Division C, secs. 30604, 30901, and 30903 of the House bill and secs. 265, 301, 604, 941–948, 950, 1103, 1221, 1311–1313, and 2008 of the Senate amendment, and modifications committed to conference: Goodlatte, Lucas (OK), and Stenholm;

From the Committee on Armed Services for consideration of secs. 11005, 11010, 14001–14007, 14009–14015, 21805 and 21806 of the House bill and secs. 301, 501–507, 509, 513, 809, 821, 914, 920, 1401, 1407–1409, 1411, 1801, and 1803 of the Senate amendment, and modifications committed to conference: Hunter, Weldon (PA), and Skelton;

From the Committee on Education and the Workforce for consideration of secs. 11021, 12014, 14033, and 30406 of the House bill and secs. 715, 774, 901, 903, 1505, and 1507 of the Senate amendment, and modifications committed to conference: McKeon, Johnson, Sam, and Miller, George;

From the Committee on Financial Services for consideration of Division G of the House bill and secs. 931–940 and 950 of the Senate amendment and modifications committed to conference: Oxley, Ney, and Waters;

From the Committee on Government Reform for consideration of secs. 11002, 11005, 11006, 11010, 11011, 14025, 14033, and 22002 of the House bill and secs. 263, 805, 806, 914–916, 918–920, 1406, and 1410 of the Senate amendment, and modifications committed to conference: Davis, Tom, Murphy, and Tierney;

From the Committee on the Judiciary for consideration of secs. 12008, 12401, 14014, 14026, 14027, 14028, 14033, 16012, 16045, 16084, 30101, 30210, and 30408 of the House bill and secs. 206, 209, 253, 531–532, 708, 767, 783, and 1109 of the Senate amendment, and modifications committed to conference: Sensenbrenner, Smith (TX), and Conyers;

From the Committee on Resources for consideration of secs. 12005, 12007, 12011, 12101, 13001, 21501, 21521–21530, Division C, and sec. 60009 of the House bill and secs. 201, 265, 272, 301, 401–407, 602–606, 609, 612, 705, 707, 712, 721, 1234, 1351–1352, 1704, and 1811 of the Senate amendment, and modifications committed to conference: Pombo, Cubin, and Rahall;

Provided that Mr. Kind is appointed in lieu of Mr. Rahall for consideration of Title IV of Division C of the House bill, and modifications committed to conference;

From the Committee on Science for consideration of secs. 11009, 11025, 12301–12312, 14001–14007, 14009–14015, 14029, 15021–15024, 15031–15034, 15041, 15045, Division B, sec. 30301, Division E, and Division F of the House bill and secs. 501–507, 509, 513–516, 770–772, 807–809, 814–816, 824, 832, 1001–1022, Title XI, Title XII, Title XIII, Title XIV, secs. 1502, 1504–1505, Title XVI, and secs. 1801–1805 of the Senate amendment, and modifications committed to conference: Boehlert, Biggert, and Hall;

Provided that Mr. Costello is appointed in lieu of Mr. Hall of Texas for consideration of Division E of the House bill, and modifications committed to conference;

Provided that Mr. Lampson is appointed in lieu of Mr. Hall of Texas for consideration of sec. 21708 and Division F of the House bill, and secs. 824 and 1223 of the Senate amendment and modifications committed to conference;

From the Committee on Transportation and Infrastructure for consideration of secs. 11001–11004, 11006, 11009–11011, 12001–12012, 12014, 12401, 12403, 13001, 13201, 13202, 15021–15024, 15031–15034, 15041, 15043, 15051, 16012, 16021, 16022, 16023, 16031, 16081, 16082, 16092, 23001–23004, 30407, 30410, and 30901 of the House bill and secs. 102, 201, 205, 301, 701–783, 812, 814, 816, 823, 911–916, 918–920, 949, 1214 1261–1262, and 1351–1352 of the Senate amendment, and modifications committed to conference: Young (AK), Petri, and Oberstar; and

From the Committee on Ways and Means for consideration of Division D of the House bill and Division H and I of the Senate amendment, and modifications committed to conference: Thomas, McCrery, and Rangel.

Pages H7954–55

Tax Relief, Simplification, and Equity Act Motions to Instruct Conferees: The House rejected Representative Cooper's motion, which was debated on September 4, to instruct conferees on H.R. 1308, Tax Relief, Simplification, and Equity Act, by a yea-and-nay vote of 186 yeas to 210 nays, Roll No. 477.

Page H7954

Later, the House debated Representative Ruppersberger's motion to instruct conferees on H.R. 1308. Further proceedings on this motion will continue on Tuesday, September 9.

Pages H7995–H8001

District of Columbia Appropriations: The House completed general debate and began consideration of amendments on H.R. 2765, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30. Consideration will resume at a later a date. **Pages H7955–93**

Agreed to:

Tom Davis of Virginia amendment that authorizes a public school voucher program (agreed to by a recorded vote of 205 ayes to 203 noes, Roll No. 478). **Pages H7981–89, H7991**

Rejected:

Norton amendment, No. 3 printed in the Congressional Record of July 23, that would have struck the section funding a school voucher program (rejected by a recorded vote of 203 ayes to 203 noes, Roll No. 479); and **Pages H7966–77, H7991–92**

Hefley amendment that would have decreased total funding in the bill by 1% (rejected by a recorded vote of 116 ayes to 284 noes, Roll No. 480). **Pages H7990, H7992–93**

Withdrawn:

Manzullo amendment that sought to specify that in the acquisition of goods and services in compliance with the Buy American Act, such goods will qualify as being "U.S.-made" only if at least sixty-five percent of the product is produced in the United States. **Page H7990**

Point of order sustained against:

Section 119 which would place restrictions on the District of Columbia government's procurement of goods and services **Page H7981**

The bill was considered pursuant to the order of the House of July 25, 2003. **Page H7965**

Unveiling of Vice President Dan Quayle's Portrait Bust: The House agreed to S. Con. Res. 63, authorizing the use of the rotunda of the Capitol for the unveiling of the portrait bust of Vice President Dan Quayle on September 10, 2003. **Page H7995**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. Tuesday, September 9 for morning-hour debate.

Page H7994

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, September 10. **Page H7994**

Adjournment: The House met at 9 a.m. and adjourned at 5:30 p.m.

Committee Meetings

No committee meetings were held.

Joint Meetings

EMPLOYMENT SITUATION

Joint Economic Committee: Committee concluded hearings to examine the employment situation for August 2003, focusing on economic growth, worker productivity and wages, job creation, the recent recession, tax relief, price stability, and federal budget deficits, after receiving testimony from Kathleen P. Utgoff, Commissioner, Bureau of Labor Statistics, Department of Labor.

ENERGY POLICY ACT

Conferees met on the differences between the Senate and House passed versions of H.R. 6, to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, but did not complete action thereon, and recessed subject to call.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D937)*

H.R. 2738, to implement the United States-Chile Free Trade Agreement. Signed on September 3, 2003. (Public Law 108–77).

H.R. 2739, to implement the United States-Singapore Free Trade Agreement. Signed on September 3, 2003. (Public Law 108–78).

S. 1435, to provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations, and funding to protect individuals from prison rape. Signed on September 4, 2003. (Public Law 108–79).

CONGRESSIONAL PROGRAM AHEAD

Week of September 8 through September 13, 2003

Senate Chamber

On *Monday,* at 1 p.m., Senate will resume consideration of H.R. 2660, Labor/HHS/Education Appropriation Act.

During the balance of the week, Senate may consider other cleared legislative and executive business, including appropriation bills and certain nominations, when available.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Armed Services: September 9, to hold hearings to examine U.S. military commitments and ongoing military operations abroad, 10 a.m., SD–106.

Committee on Banking, Housing, and Urban Affairs: September 9, to hold hearings to examine the implementation of the Sarbanes-Oxley Act (Public Law 107–204), and restoring investor confidence, 10 a.m., SD–538.

September 9, Subcommittee on Financial Institutions, to hold oversight hearings to examine the Federal Home Loan Bank system, 2 p.m., SD–538.

Committee on Commerce, Science, and Transportation: September 9, to hold oversight hearings to examine the state of transportation security, 9:30 a.m., SR–253.

Committee on Energy and Natural Resources: September 9, to hold hearings to examine the nominations of Suedeen G. Kelly, of New Mexico, to be a Member of the Federal Energy Regulatory Commission, and Rick A. Dearborn, of Oklahoma, to be Assistant Secretary of Energy for Congressional and Intergovernmental Affairs, 10 a.m., SD–366.

September 9, Subcommittee on National Parks, to hold hearings to examine S. 808, to provide for expansion of Sleeping Bear Dunes National Lakeshore, S. 1107, to enhance the Recreational Fee Demonstration Program for the National Park Service, and H.R. 620, to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist the State of California or local educational agencies in California in providing educational services for students attending schools located within the Park, 2:30 p.m., SD–366.

September 11, Subcommittee on Public Lands and Forests, to hold hearings to examine S. 849, to provide for a land exchange in the State of Arizona between the Secretary of Agriculture and Yavapai Ranch Limited Partnership, S. 511, to provide permanent funding for the Payment In Lieu of Taxes program, S. 432, to authorize the Secretary of the Interior and the Secretary of Agriculture to conduct and support research into alternative treatments for timber produced from public lands and lands withdrawn from the public domain for the National Forest System, and S. 1582, to amend the Valles Preservation Act to improve the preservation of the Valles Caldera, 2:30 p.m., SD–366.

Committee on Finance: September 9, to hold hearings to examine the homeland security and terrorism threat from document fraud, identity theft and social security number misuse, 10 a.m., SD–G50.

Committee on Foreign Relations: September 9, to hold a closed briefing on the situation in North Korea, 9:30 a.m., S–407, Capitol.

September 11, Full Committee, to hold hearings to examine U.S.-China relations, 9:30 a.m., SD–419.

Committee on Governmental Affairs: September 10, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine the cause of the August 2003 Northeast blackouts, and what the federal government can do to ensure that blackouts of this magnitude do not occur again, 9 a.m., SD–342.

Committee on the Judiciary: September 9, to hold hearings to examine Congress and the continuity of the United States government, 10 a.m., SD–226.

September 9, Full Committee, to hold hearings to examine problems and solutions on peer-to-peer networks regarding pornography, technology, and process, 2 p.m., SD–226.

September 10, Subcommittee on Terrorism, Technology and Homeland Security, to hold hearings to examine terrorism two years after 9/11, 10 a.m., SD–226.

Select Committee on Intelligence: September 11, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

Special Committee on Aging: September 9, to hold hearings to examine protecting seniors from representative payee fraud in relation to social security programs, 10 a.m., SD–628.

House Committees

Committee on Agriculture, September 10, to consider a Letter to the Committee on the Budget as required by the Resolution on the Budget for Fiscal Year 2004, 10 a.m., 1300 Longworth.

Committee on Education and the Workforce, September 9, Subcommittee on Select Education, hearing entitled ''Beyond Baccalaureate: Graduate Programs in the Higher Education Act,'' 2 p.m., 2175 Rayburn.

September 11, Subcommittee on 21st Century Competitiveness, hearing on ''The Expanding Opportunities in Higher Education Act of 2003,'' 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, September 9, Subcommittee on Commerce, Trade and Consumer Protection, hearing on H.R. 2221, Fairness to Contact Lens Consumers Act, 1 p.m., 2123 Rayburn.

September 9, Subcommittee on Oversight and Investigations, hearing entitled ''Nuclear Terrorism Prevention: A Review of the Federal Government's Progress toward Installing Radiation Detection Monitors at U.S. Posts and Borders,'' 2 p.m., 2322 Rayburn.

September 11, Subcommittee on Energy and Air Quality, hearing entitled ''A Review of the Progress of DOE's Yucca Mountain Project,'' 10 a.m., 2123 Rayburn.

September 11, Subcommittee on Telecommunications and the Internet, hearing on H.R. 2898, E–911 Implementation Act of 2003, 9:30 a.m., 2322 Rayburn.

Committee on Financial Services, September 10, hearing on the Department of the Treasury's views on the regulation of government sponsored enterprises, 10 a.m., 2128 Rayburn.

Committee on Government Reform, September 9, Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs, hearing entitled ''Elevation of the EPA to Department Level Status: Federal and State Views,'' 2 p.m., 2154 Rayburn.

September 9, Subcommittee on National Security, Emerging Threats and International Relations, hearing on Combating Terrorism: Preparing and Funding First Responders, 10 a.m., 2203 Rayburn.

September 9, Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census, oversight hearing entitled ''Advancements in Smart Card and Biometric Technology,'' 10 a.m., 2154 Rayburn.

September 10, Subcommittee on Government Efficiency and Financial Management, oversight hearing entitled ''Developing Sound Business Practices at the Department of Homeland Security,'' 2 p.m., to be followed by markup of H.R. 2886, Department of Homeland Security Financial Accountability Act, 3:30 p.m., 2247 Rayburn.

September 10, Subcommittee on Human Rights and Wellness, hearing entitled ''The SV–40 Virus: Has Tainted Polio Vaccine Caused an Increase in Cancer?'' 2 p.m., 2154 Rayburn.

September 10, Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census, hearing entitled ''Worm and Virus Defense: How Can We Protect the Nation's Computers From These Threats?'' 10 a.m., 2154 Rayburn.

September 12, full Committee, hearing entitled ''Black Men and Boys in the District of Columbia and their Impact on the Future of the Black Family,'' 10 a.m., 2154 Rayburn.

Committee on International Relations, September 9, Subcommittee on Europe, to mark up the following: a resolution expressing the sense of the House of Representatives regarding the man-made famine that occurred in Ukraine in 1932–1933; and H. Res. 355, Commemorating the 100th anniversary of diplomatic relations between the United States and Bulgaria, 4 p.m., 2172 Rayburn.

Committee on the Judiciary, September 10, to mark up the following: H.R. 1038, Public Lands Fire Regulations Enforcement Act of 2003; H.J. Res. 63, Compact of Free Association Amendments Act of 2003; H.R. 2134, Bail Bond Fairness Act of 2003; and a measure to authorize appropriations for the Department of Justice for fiscal years 2004 and 2005, 10 a.m., 2141 Rayburn.

September 11, Subcommittee on Immigration, Border Security, and Claims, oversight hearing on ''Should There Be a Social Security Totalization Agreement with Mexico?'' 11 a.m., 2141 Rayburn.

Committee on Resources, September 10, Subcommittee on Water and Power, hearing on the following: H.R. 142, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Inland Empire regional water recycling project, to authorize the Secretary to carry out a program to assist agencies in projects to construct regional brine lines in California, and to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project; H.R. 1156, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to increase the ceiling on the Federal share of the costs of phase I of the Orange County, California, Regional Water Reclamation Project; H.R. 2960, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Brownsville Public Utility Board water recycling and desalinization project; and H.R. 2991, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of Interior to participate in the Inland Empire regional recycling project in the Cucamonga County Water District recycling project, 2 p.m., 1324 Longworth.

September 11, Subcommittee on Fisheries Conservation, Wildlife and Oceans, hearing on H. Con. Res. 268, expressing the sense of the Congress regarding the imposition of sanctions on nations that are undermining the effectiveness of conservation and management measures for Atlantic highly migratory species, including marlin, adopted by the International Commission for the Conservation of Atlantic Tunas and that are threatening the continued viability of United States commercial and recreational fisheries, 10 a.m., 1324 Longworth.

Committee on Rules, September 9, to consider H.R. 2622, Fair and Accurate Credit Transactions Act of 2003, 5 p.m., H–313 Capitol.

Committee on Science, September 10, hearing on NASA's Response to the Columbia Report, 10 a.m., 2318 Rayburn.

Committee on Small Business, September 10, hearing on the WTO's Challenge to the FSC/ETI Rules and the Effect on America's Small Businesses, 2 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, September 10, Subcommittee on Economic Development, Public Buildings and Emergency Management, oversight hearing on Reauthorization of the John F. Kennedy Center for Performing Arts, 10 a.m., 2253 Rayburn.

Committee on Ways and Means, September 9, to mark up the following: the Waste, Fraud, and Abuse Letter to the House Committee on the Budget; and H.R. 7, Charitable Giving Act of 2003, 4 p.m., 1100 Longworth.

Select Committee on Homeland Security, September 9, Subcommittee on Rules, hearing entitled ''Perspectives on House Reform: Former House Leaders,'' 10:30 a.m., H–313 Capitol.

September 10, full Committee, hearing entitled ''Perspectives on 9–11: Building Effectively on Hard Lessons,'' 2:30 p.m., 2118 Rayburn.

Joint Meetings

Commission on Security and Cooperation in Europe: September 9, to hold hearings to examine U.S. policy towards the Organization for Security and Cooperation in Europe (OSCE), 10 a.m., 334 CHOB.

Next Meeting of the **SENATE**

1 p.m., Monday, September 8

Senate Chamber

Program for Monday: Senate will continue consideration of H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

12:30 p.m., Tuesday, September 9

House Chamber

Program for Tuesday: To be announced.

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